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JOURNAL
OF THE
ASSEMBLY

OF THE
STATE OF NEW YORK,
AT THEIR
ONE HUNDRED AND SEVENTEENTH SESSION.

VOLUME II.



ALBANY:
JAMES B. LYON, STATE PRINTER.
1894.

Mr. Horton, from the committee on privileges and elections, presented a report in the matter of the contested seat, Kneeland v. Hughes; which was laid upon the table and ordered printed.

(See Document.)

Mr. Horton moved that the report be printed and made a special order for next Monday evening immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Horton presented the majority report in the matter of the contested seat of Conklin v. McGuire.

Mr. Dowling presented the minority report in the same case.

Said reports were laid upon the table and ordered printed.

(See Document.)

Mr. Horton moved that said reports be made a special order for next Monday evening, April 2, immediately after the reading of the journal.

Mr. Sulzer moved to amend by striking out the words "April 2" and inserting the words "April 9."

Mr. Butts moved to amend by striking out the words "Monday, April 9," and inserting the words "Thursday, April 5."

Mr. Ainsworth moved to reconsider the vote by which the case, Kneeland v. Hughes was made a special order for April 2.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Ainsworth moved that when the House adjourns on Tuesday, April 3, it be meet on Wednesday, April 4, at 10 o'clock A. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth then moved that the contested seat cases, Kneeland v. Hughes and Conklin v. McGuire, be made a special order for Wednesday, April 4, immediately after reading the journal.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill (No. 1142) entitled "An act to amend chapter 357 of the Laws of 1892, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as it relates to the interest and taxation on securities issued by the city of Brooklyn" (Int. No. 1007), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	Parkhurst	Snyder
Babcock	Eldredge	Keck	Porter	Stein
Baker	Fairbrother	Keleher	Prescott	Stevens
Berry	Fish	Kelsey	Rider, J.J.	Stewart
Braun	Friday	Kerr	Robbins	Stone
Brennan	Fuller	La Fetra	Robertson	Sulzer
Brownell	Gardiner	Lasch	Robinson	Taylor
Burtis	Gerst	Lawson	Rebson	Terry, C.W.
Bush	Glenn	Lee	Roche	Terry, J.F.
Butts	Gould	Lounsbury	Scanlon	Tuttle
Callahan	Gray	Marrin	Schillinger	Vacheron
Carroll	Hennessy	Matthews	Schoepflin	Van Amber
Clark, F.E.	Herrman	McDermott	Schulz, F.F.	Vehslage
Clark, J.H.	Higbie	McGuire	Schulz, H.	Wells
Cutler	Hobbie	Melody	Seibert	Whittet
Dean	Hoefler	Messiter	Sheffield	Wilcox
Denniston	Horton	Mittnacht	Smith, M.F.	Wray
Dinkelspiel	Hotaling	Nixon	Smith, S.W.	Wyckoff
Douglas	Houghton	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1276) entitled "An act releasing from assessments heretofore levied on certain real estate of the Manhattan hospital association of the city of New York" (Int. No. 859), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefer	Myers	Smith, M.F.
Babcock	Denniston	Horton	Nixon	Smith, S.W.
Baker	Dinkelspiel	Hotaling	O'Grady	Snyder
Berry	Douglas	Houghton	Parkhurst	Stein
Braun	Eldredge	Howe	Porter	Stewart
Brennan	Fairbrother	Keck	Prescott	Stone
Brownell	Fish	Kelsey	Rider, J.J.	Sulzer
Burtis	Friday	Kerr	Robbins	Taylor
Bush	Fuller	La Fetra	Robertson	Terry, C.W.
Butts	Gardiner	Lasch	Robinson	Terry, J.F.
Carroll	Gerst	Lawson	Robson	Tuttle
Chambers	Glenn	Lee	Roche	Vacheron
Clark, F.E.	Gould	Lounsbury	Scanlon	Van Amber
Clark, J. H.	Gray	Marrin	Schoepflin	Wells
Corrigan	Hennessy	Matthews	Schulz, F.F.	Whittet
Coughlin	Herrman	McDermott	Schulz, H	Wilcox
Cutler	Higbie	McGuire	Seibert	Wray
Davidson	Hobbie	Messiter	Sheffield	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1092) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn' so far as it relates to auxiliary sewers" (Int. No. 984), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Nixon	Smith, S.W.
Babcock	Dinkelspiel	Houghton	O'Grady	Snyder
Baker	Dowling	Howe	Parkhurst	Southworth
Berry	Eldredge	Keck	Plant	Stein

Braun	Fairbrother	Keleher	Porter	Stevens
Brennan	Fish	Kelsey	Prescott	Stewart
Brownell	Friday	La Petra	Rider, J.J.	Stone
Burtis	Fuller	Lasch	Robbins	Sulzer
Bush	Gardiner	Lawson	Robertson	Terry, C.W.
Butts	Gerst	Lee	Robinson	Terry, J.F.
Carroll	Glenn	Lounsbury	Robson	Tuttle
Chambers	Gould	Loonan	Roche	Vacheron
Clark, F.E.	Gray	Marrin	Scanlon	Van Amber
Clark, J. H.	Hennessy	Matthews	Schoepflin	Wells
Corrigan	Herrman	McDermott	Schulz, F.F.	Whittet
Corrigan	Higbie	McGuire	Schulz, H	Wieman
Cutler	Hobbie	Melody	Seibert	Wilcox
Davidson	Hoefler	Messiter	Sheffield	Wray
Dean	Horton	Mittnacht	Smith, M.F.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 915) entitled "An act in relation to the government of the city of Brooklyn" (Int. No. 566), having been announced for a third reading,

On motion of Mr. Burtis, said bill was laid aside.

The bill (No. 1082), entitled "An act in relation to local improvements in the city of Brooklyn, and to provide by the issue of bonds the means required therefor" (Int. No. 972), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Mittnacht	Smith, S.W.
Babcock	Dowling	Howe	Myers	Snyder
Baker	Eldredge	Keck	Nixon	Stein
Berry	Fairbrother	Keleher	O'Grady	Stevens
Braun	Fish	Kelsey	Plant	Stewart
Brennan	Friday	Kerr	Porter	Stone
Brownell	Fuller	Kerrigan	Prescott	Sulzer
Burtis	Gardiner	La Petra	Rider, J.J.	Taylor
Bush	Gerst	Lasch	Robbins	Terry, C.W.
Butts	Glenn	Lawson	Robertson	Trainor

Carroll	Gould	Lee	Robinson	Tuttle
Chambers	Gray	Lounsbury	Robson	Vacheron
Clark, F.E.	Hennessy	Loonan	Roche	Van Amber
Clark, J. H.	Herrman	Marrin	Scanlon	Wells
Corrigan	Higbie	Matthews	Schoepflin	Whittet
Cutler	Hobbie	McDermott	Schulz, F.F.	Wieman
Davidson	Hoefer	McGuire	Schulz, H	Wilcox
Dean	Horton	Melody	Seibert	Wray
Denniston	Hotaling	Messiter	Smith, M.F.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1088) entitled "An act to amend the statutory construction law in relation to provisions of law which are repealed and re-enacted" (Int. No. 978), having been announced for a third reading,

On motion of Mr. Nixon, said bill was laid aside.

The bill (No. 447) entitled "An act authorizing the Board of Claims to hear, audit and determine the claim of Gustavus C. Hanus for services performed for the State under the provisions of acts and joint resolution of the Legislature and to make an award therefor" (Int. No. 444), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 93 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Nixon	Stein
Babcock	Eldredge	Howe	O'Grady	Stevens
Baker	Fairbrother	Keck	Plant	Stewart
Berry	Fish	Keleher	Porter	Stone
Braun	Friday	Kelsey	Prescott	Sulzer
Brennan	Fuller	Kerr	Rider, J.J.	Taylor
Brownell	Gardiner	Kern	Robbins	Terry, C.W.
Burtis	Gerst	La Fetra	Robertson	Terry, J.F.
Bush	Gleason	Lasch	Robinson	Tuttle
Butts	Glenn	Lawson	Robson	Vacheron
Carroll	Gould	Lee	Roche	Van Amber
Chambers	Gray	Loonan	Scanlon	Vehslage
Clark, F.E.	Hennessy	Marrin	Schulz, F.F.	Wells

Clark, J. H.	Herrman	Matthews	Schulz, H	Whittet .
Cutler	Higbie	McDermott	Seibert	Wieman
Davidson	Hobbie	McGuire	Smith, M.F.	Wilcox
Dean	Hoefer	Melody	Smith, S.W.	Wray
Denniston	Horton	Messiter	Snyder	Wyckoff
Dinkelspiel	Hotaling	Mittnacht		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 562) entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Johnstown, Fulton county, to Lydia Dickson" (Int. No. 582), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Nixon	Stadtfeld
Babcock	Eldredge	Howe	O'Grady	Stein
Baker	Fairbrother	Keck	Plant	Stevens
Berry	Fish	Keleher	Porter	Stewart
Braun	Friday	Kelsey	Prescott	Stone
Brennan	Fuller	Kerr	Rider, J.J.	Sulzer
Brownell	Gardiner	La Petra	Robbins	Taylor
Burtis	Gerst	Lasch	Robertson	Perry, C.W
Bush	Gleason	Lawson	Robinson	Terry, J.F.
Butts	Glenn	Lee	Robson	Tuttle
Carroll	Gould	Loonan	Roche	Vacheron
Chambers	Gray	Marrin	Scanlon	Van Amber
Clark, F.E.	Hennessey	Matthews	Schulz, F.F.	Wells
Clark, J. H.	Herrman	McDermott	Schulz, H	Whittet
Cutler	Higbie	McGuire	Seibert	Wieman
Davidson	Hobbie	Melody	Smith, M.F.	Wilcox
Dean	Hoefer	Messiter	Smith, S.W.	Wray
Denniston	Horton	Mittnacht	Snyder	Wyckoff
Dinkelspiel	Hotaling			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1070) entitled "An act to provide for the construction of a highway on the Onondaga Indian reservation, and

making an appropriation therefor" (Int. No. 960), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	95	}
}	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	O'Grady	Stadtfeld
Babcock	Fairbrother	Keck	Parkhurst	Stein
Baker	Finnigan	Keleher	Plant	Stevens
Berry	Fish	Kelsey	Porter	Stewart
Braun	Friday	Kerr	Prescott	Stone
Brennan	Fuller	Kern	Rider, J.J.	Sulzer
Brownell	Gardiner	La Fetra	Robbins	Taylor
Burtis	Gerst	Lasch	Robertson	Terry, C W.
Bush	Glenn	Lawson	Robinson	Terry, J.F.
Butts	Gould	Lee	Robson	Trainor
Carroll	Gray	Lounsbury	Roche	Tuttle
Chambers	Hennessy	Loonan	Scanlon	Vacheron
Clark, F.E.	Herrman	Marrin	Schillinger	Van Amber
Clark, J. H.	Higbie	Matthews	Schulz, F.F.	Wells
Cutler	Hobbie	McDermott	Schulz, H	Whittet
Davidson	Hoefer	McGuire	Seibert	Wieman
Dean	Horton	Melody	Smith, M.F.	Wilcox
Denniston	Hotaling	Mitnacht	Smith, S.W.	Wray
Dinkelspiel	Houghton	Nixon	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1275) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain sales of property belonging to the mayor, alderman and commonalty of the city of New York, leased to the Hahne-mann Hospital of the city of New York, for non-payment of assessments, and to discharge and release certain assessments thereon" (Int. No. 992), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	O'Grady	Stein
Babcock	Eldredge	Howe	Plant	Stevens
Baker	Fairbrother	Keck	Porter	Stewart
Berry	Finnigan	Keleher	Prescott	Stone
Braun	Fish	Kelsey	Rider, J.J.	Sulzer
Brennan	Friday	Kerr	Robbins	Taylor
Brownell	Fuller	La Fetra	Robertson	Terry, C.W.
Burtis	Gardiner	Lasch	Robinson	Terry, J.F.
Bush	Gerst	Lawson	Robson	Thompson
Butts	Glenn	Lee	Roche	Trainor
Carroll	Gould	Lounsbury	Scanlon	Tuttle
Chambers	Gray	Loonan	Schillinger	Vacheron
Clark, F.E.	Hennessy	Marrin	Schulz, F.F.	Van Amber
Clark, J. H.	Herrman	Matthews	Schulz, H	Wells
Corrigan	Higbie	McDermott	Seibert	Whittet
Coughlin	Hobbie	McGuire	Smith, M.F.	Wieman
Cutler	Hoefer	Melody	Smith, S.W.	Wilcox
Dean	Horton	Mitnacht	Snyder	Wray
Denniston	Hotaling	Myers	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1179) entitled "An act to release to William T. Frost all the right, title and interest of the people of the State of New York in and to certain real estate in the village of Millerton, Dutchess county, New York" (Int. No. 1047), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	O'Grady	Stadtfeld
Babcock	Eldredge	Howe	Parkhurst	Stein
Baker	Fairbrother	Hoysradt	Plant	Stevens
Berry	Finnigan	Keck	Porter	Stewart
Braun	Fish	Keleher	Prescott	Stone
Brennan	Friday	Kelsey	Rider, J.J.	Sulzer
Brownell	Fuller	La Fetra	Robbins	Taylor

Burtis	Gardiner	Lasch	Robertson	Terry, C.W.
Bush	Gerst	Lawson	Robinson	Terry, J.F.
Butts	Glenn	Lee	Robson	Trainor
Carroll	Gould	Lounsbury	Roche	Tuttle
Chambers	Gray	Loonan	Scanlon	Vacheron
Clark, F.E.	Hennessey	Marrin	Schillinger	Van Amber
Clark, J. H.	Herrman	Matthews	Schulz, F.F.	Wells
Corrigan	Higbie	McDermott	Schulz, H	Whittet
Cutler	Hobbie	McGuire	Seibert	Wieman
Davidson	Hoefer	Melody	Smith, M.F.	Wilcox
Dean	Horton	Mittnacht	Smith, S.W.	Wray
Denniston	Hotaling	Nixon	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1169) entitled "An act in relation to the corporation called the Baptist Missionary Convention of the State of New York" (Int. No. 1036), having been announced for a third reading,

On motion of Mr. Howe, said bill was laid aside.

The bill (No. 1173) entitled "An act to authorize the comptroller of the city of Buffalo to add certain assessments to the general city tax-roll without delivering the same to the treasurer" (Int. No. 1040), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	Mittnacht	Stadtfeld
Babcock	Dowling	Howe	Nixon	Stein
Baker	Eldredge	Hoysradt	O'Grady	Stevens
Berry	Fairbrother	Keck	Plant	Stewart
Braun	Finnigan	Keleher	Porter	Stone
Brennan	Fish	Kelsey	Prescott	Sulzer
Brownell	Friday	Kerr	Rider, J.J.	Taylor
Burtis	Fuller	La Fetra	Robbins	Terry, C.W.
Bush	Gardiner	Lasch	Robertson	Terry, J.F.
Butts	Gerst	Lawson	Robinson	Trainor
Carroll	Glenn	Lee	Robson	Tuttle
Chambers	Gould	Lounsbury	Roche	Vacheron
Clark, F.E.	Gray	Loonan	Scanlon	Van Amber

Clark, J. H.	Hennessy	Marrin	Schillinger	Wells
Coughlin	Herrman	Matthews	Schulz, F.F.	Whittet
Cutler	Higbie	McDermott	Schulz, H	Wieman
Davidson	Hobbie	McGuire	Seibert	Wilcox
Dean	Hoefler	Melody	Smith, M.F.	Wray
Denniston	Horton	Messiter	Smith, S.W.	Wyckoff
Dinkelspiel	Hotaling			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1170) entitled "An act to amend chapter 583 of Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to department of police and excise as to retirement of members of police force" (Int. No. 1037), having been announced for a third reading,

On motion of Mr. Friday, said bill was laid aside.

The bill (No. 743) entitled "An act for the further protection of cemeteries in the State of New York" (Int. No. 692), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Nixon	Stadtfeld
Babcock	Eldredge	Howe	O'Grady	Stein
Baker	Fairbrother	Keck	Plant	Stevens
Berry	Finnigan	Keleher	Porter	Stewart
Braun	Fish	Kelsey	Prescott	Stone
Brennan	Friday	Kerr	Rider, J.J.	Sulzer
Brownell	Fuller	Kern	Robbins	Taylor
Burtis	Gardiner	Kerrigan	Robertson	Terry, J.F.
Bush	Gerst	La Fetra	Robinson	Trainor
Butts	Glenn	Lasch	Robson	Tuttle
Carroll	Gould	Lawson	Roche	Vacheron
Chambers	Gray	Lee	Scanlon	Van Amber
Clark, F.E.	Hennessy	Lounsbury	Schillinger	Wells
Clark, J. H.	Herrman	Loonan	Schulz, F.F.	Whittet
Cutler	Higbie	Marrin	Schulz, H	Wieman
Davidson	Hobbie	Matthews	Seibert	Wilcox

Dean	Hoefler	McGuire	Smith, M.F.	Wray
Denniston	Horton	Melody	Smith, S.W.	Wyckoff
Dinkelspiel	Hotaling	Mittnacht	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 871) entitled "An act to enable physicians and surgeons, long residents and citizens of this State, who have omitted to register their diplomas to do so" (Int. No. 798), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Hoysradt	Plant	Stein
Baker	Finnigan	Keck	Porter	Stevens
Berry	Fish	Keleher	Prescott	Stewart
Braun	Friday	Kelsey	Reilly	Stone
Brownell	Fuller	Kerr	Rider, J.J.	Sulzer
Burtis	Gardiner	Kern	Robbins	Taylor
Bush	Gerst	La Petra	Robertson	Terry, C.W.
Butts	Glenn	Lasch	Robinson	Terry, J.F.
Cahill	Gould	Lawson	Robson	Thompson
Callahan	Gray	Lee	Roche	Trainor
Carroll	Hennessy	Lounsbury	Scanlon	Tuttle
Chambers	Herrman	Loonan	Schillinger	Vacheron
Clark, F.E.	Higbie	Marrin	Schulz, F.F.	Van Amber
Clark, J. H.	Hobbie	Matthews	Schulz, H	Wells
Cutler	Hoefler	Melody	Seibert	Whittet
Davidson	Horton	Messiter	Smith, M.F.	Wieman
Dean	Hotaling	Mittnacht	Smith, S.W.	Wilcox
Denniston	Houghton	Nixon	Snyder	Wray
Dinkelspiel	Howe	O'Grady	Stadtfeld	Wyckoff
Eldredge				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 825), entitled "An act to amend chapter 602 of the Laws of 1892, entitled 'An act to secure the registration of plumbers and the supervision of plumbing and drainage in the cities of the State of New York'" (Int. No. 759), having been announced for a third reading,

On motion of Mr. Taylor, said bill was laid aside.

The bill (No. 924), entitled "An act to amend the Code of Civil Procedure, relating to physical examination of plaintiff by physician of same sex" (Int. No. 843), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 70 }
{ NOES 10 }

Those who voted in the affirmative, were

Baker	Dinkelspiel	Hotaling	Plant	Stadtfeld
Berry	Fairbrother	Houghton	Porter	Stewart
Braun	Finnigan	Howe	Prescott	Sulzer
Brownell	Fish	Hoysradt	Reilly	Taylor
Burtis	Foley	Kelsey	Rider, J.J.	Terry, C.W.
Callahan	Fuller	Kerrigan	Robbins	Thompson
Carroll	Gardiner	Lawson	Robertson	Trainor
Clark, F.E.	Gerst	Lee	Robson	Tuttle
Corrigan	Gleason	Lounsbury	Roche	Vacheron
Coughlin	Glenn	Loonan	Scanlon	Wells
Cutler	Gould	Marrin	Schillinger	Whittet
Davidson	Gray	McDermott	Schulz, H	Wieman
Dean	Herrman	Melody	Seibert	Wilcox
Denniston	Hoefer	O'Grady	Smith, S.W.	Speaker

Those who voted in the negative, were

Ainsworth	Cain	Keleher	Nixon	Stein
Bush	Horton	La Fetra	Snyder	Stevens

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 888) entitled "An act to amend chapter 116 of the Laws of 1882, entitled 'An act authorizing the local boards of the State normal schools of this State to insure the buildings and property belonging to said schools for the benefit of the State'" (Int. No. 812), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Nixon	Snyder
Babcock	Fairbrother	Keleher	O'Grady	Southworth
Baker	Finnigan	Kelsey	Plant	Stein
Berry	Fish	Kerr	Porter	Stevens
Brennan	Foley	Kern	Prescott	Stewart
Burtis	Friday	La Fetra	Rider, J.J.	Sulzer
Bush	Fuller	Lasch	Robbins	Taylor
Cahill	Gardiner	Lawson	Robinson	Terry, C.W.
Carroll	Glenn	Lounsbury	Robson	Thompson
Cassin	Gould	Loonan	Roche	Tilton
Corrigan	Herrman	Marrin	Ryder, E.L.	Trainor
Cutler	Hobbie	Matthews	Scanlon	Tuttle
Davidson	Hoefler	McGuire	Schoepflin	Van Amber
Dean	Houghton	McNamee	Schulz, H	Wells
Denniston	Howe	Messiter	Seibert	Whittet
Dinkelspiel	Hoysradt	Mitnmacht	Sherwood	Wieman
Douglas	Hughes	Myers	Smith, S.W.	Wray

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 846) entitled "An act to amend the railroad law, in relation to receipts for freight" (Int. No. 781), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Finnigan	Kern	Porter	Stadtfeld
Baker	Fish	Kerrigan	Reilly	Stein
Berry	Foley	Lasch	Rider, J.J.	Stevens
Braun	Friday	Lawson	Robbins	Stewart
Burtis	Fuller	Lee	Robertson	Stone
Bush	Gardiner	Loonan	Robson	Terry, C.W.
Cahill	Gleason	Marrin	Roche	Thompson
Callahan	Glenn	Matthews	Scanlon	Tilton
Carroll	Gould	McDermott	Schillinger	Tobin
Corrigan	Herrman	McGuire	Schoepflin	Trainor
Coughlin	Hoefler	Melody	Schulz, H	Tuttle

Cutler	Howe	Mittnacht	Seibert	Van Amber
Davidson	Hoysradt	Myers	Sheffield	Wells
Dean	Keenan	Nixon	Smith, M.F.	Wieman
Denniston	Keleher	O'Donnell	Smith, S.W.	Wilcox
Dinkelspiel	Kelsey	O'Grady	Snyder	Wray
Fairbrother	Kerr	Plant		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Marrin, the House adjourned.

TUESDAY, MARCH 27, 1894.

The House met pursuant to adjournment.

Prayer by Rev. John F. Shaw.

On motion of Mr. Thornton, the journal of yesterday was approved without being read.

Mr. Hobbie, from the committee on insurance, to which was referred the bill introduced by Mr. Herrman, Int. No. 249, entitled "An act to amend section 214 of chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations,' constituting chapter 33 of the general laws," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Speaker announced the calendar of the day.

The bill (No. 457) entitled "An act with reference to the removal and appointment of heads of departments in the city of New York" (Int. No. 434), was read the second time.

On motion of Mr. Sheffield, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Sulzer moved that said bill be recommitted to the committee on affairs of cities for a hearing, retaining its place on the order of third reading, with leave to the committee to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 47 }
{ NOES 64 }

Those who voted in the affirmative, were

Berry	Corrigan	Hoefer	McDermott	Robinson
Brennan	Coughlin	Hoysradt	McKeon	Roche
Bush	Davidson	Keleher	McNamee	Schillinger
Butts	Dinkelspiel	Kerr	Melody	Southworth
Cahill	Dowling	Kerrigan	Mittnacht	Stadtfeld
Cain	Finnigan	La Fetra	Myers	Stein
Callahan	Foley	Lasch	O'Donnell	Sulzer
Carroll	Gleason	Loonan	Plant	Trainor
Chapman	Hennessy	Marrin	Reilly	Vehslage
Clark, F.E.	Herrman			

Those who voted in the negative, were

Ainsworth	Gardiner	Lawson	Robson	Terry, C.W
Babcock	Gerst	Lee	Scanlon	Ferry, J.F.
Baker	Gould	Lounsbury	Schoepflin	Thompson
Brownell	Gray	Matthews	Schulz, H	Thornton
Chambers	Higbie	Messiter	Seibert	Tilton
Clark, J. H.	Hobbie	Nixon	Sheffield	Tuttle
Cutler	Horton	O'Grady	Sherwood	Van Amber
Denniston	Hotaling	Parkhurst	Smith, M.F.	Wells
Eldredge	Houghton	Porter	Smith, S.W.	Whittet
Fairbrother	Howe	Prescott	Stevens	Wilcox
Fish	Keck	Rider, J.J.	Stewart	Wray
Friday	Kelsey	Robbins	Stone	Wyckoff
Fuller	Kern	Robertson	Taylor	

The bill (No. 1151) entitled "An act to amend chapter 517 of the Laws of 1889, entitled 'An act to establish a normal and training school at the village of Plattsburgh, in the county of Clinton, and to make an appropriation therefor,' relating to the board of managers" (Int. No. 1017), was read the second time.

On motion of Mr. Baker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1193) entitled "An act to establish the compensation of the county judge of the county of Oneida" (Int. No. 1062), was read the second time.

On motion of Mr. Hoefer, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Thornton in the chair.

The bill (No. 1342) entitled "An act to amend chapter 205 of the Laws of 1890, entitled 'An act to provide for the appointment of commissioners for the promotion of uniformity of legis-

lation in the United States,' as amended by chapter 538 of the Laws of 1892, and to reappropriate an unexpended balance of appropriation heretofore made to carry out the provisions of said act" (Int. No. 1187), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1321) entitled "An act to authorize the town of Flatlands, Kings county, to sell and convey certain real property therein owned by said town to the first Methodist Protestant church in said town" (Int. No. 1165), was read the second time.

On motion of Mr. Friday, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 208) entitled "An act to legalize the grant of land under water, heretofore made by the commissioners of the land office of the State of New York to the village of Tona-wanda" (Int. No. 207), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1272) entitled "An act to amend chapter 602 of the Laws of 1892, entitled 'An act to secure the registration of plumbers and supervision of plumbing and drainage in the cities of the State of New York'" (Int. No. 369), having been announced for a second reading,

On motion of Mr. Lawson, said bill was recommitted to the committee on the judiciary, retaining its place on the order of second reading.

The bill (No. 1157) entitled "An act to incorporate the St. Lawrence Electric Townsite Company, to define its rights, powers and privileges, and for other purposes" (Int. No. 1023), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1256) entitled "An act to amend the Code of Civil Procedure, relating to sheriff's fees" (Int. No. 1120), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Taylor called from the table the Senate bill (No. 325), entitled "An act providing for the formation, management and supervision of co-operative savings and loan associations" (Rec.

No. 126), having been previously laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Taylor moved to amend the same as follows :

Page 17, line 4, after the word "article" insert the words "fire and."

Same page, section 23, line 9, strike out all after the word "act."

Page 19, after line 16 insert the following new section :

"§ 26. All acts and parts of acts inconsistent herewith are hereby repealed."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cutler moved to amend said bill as follows :

Page 4, line 9, insert after the word "person" the words "not to exceed one hundred in any individual case."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill, as amended, was then read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

Mr. M. F. Smith called from the table the bill No. 529, entitled "An act to amend chapter 40 of the Laws of 1888, as amended by chapter 193 of the Laws of 1893, entitled 'An act to incorporate the city of Hornellsville'" (Int. No. 501), previously laid aside on the order of second reading.

Said bill having been announced for a second reading,

On motion of Mr. M. F. Smith, the same was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1229) entitled "An act to amend section 37 of the election law" (Int. No. 1088), was read the second time.

On motion of Mr. Keck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1255) entitled "An act to amend the Code of Criminal Procedure, relating to witness' fees" (Int. No. 1119), having been announced for a second reading,

On motion of Mr. Horton, said bill was amended as follows :

Section 1, line 8, after the word "fee," insert the words "and mileage."

Same section, line 9, after the word "upon," strike out the

words "an order of the judge holding the term," and insert the words "the certificate of the clerk of the court, based upon the affidavit of the witness as to the number of miles traveled and duration of attendance."

Said bill, as amended, was then read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1294) entitled "An act to amend chapter 342 of the Laws of 1885" (Int. No. 1134), was read the second time.

On motion of Mr. Dowling, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1207) entitled "An act in relation to jurors, and to the appointment and the duties of a commissioner of jurors in the county of Westchester" (Int. No. 1115), was read the second time.

On motion of Mr. Harrigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1241) entitled "An act to repeal section 4 of title 18 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, in relation to contracts for supplying the public lamps with gas'" (Int. No. 1103), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1101), entitled "An act to prevent the pollution of the Oswegatchie river and the water supply of the city of Ogdensburg" (Int. No. 1069), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1345) entitled "An act to amend chapter 33 of the Laws of 1892, entitled 'An act to amend sections 3, 4 and 18 of title 8 of chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to arrears" (Int. No. 1161), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1290) entitled "An act to place fire hydrants and

lay the necessary mains in connection therewith in the city of New York" (Int. No. 1129), was read the second time.

On motion of Mr. Dinkelspiel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1215) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the street cleaning service in said city" (Int. No. 1092), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Ainsworth called from the table the bill (No. 1267) entitled "An act to amend sections 1907 and 1908 of the Code of Civil Procedure, relating to libel" (Int. No. 836), previously laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Sulzer moved to amend said bill as follows:

Page 2, printed bill, add at the end of line 14 the words "and malice shall be implied only from proof of conscious publication of falsehood."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Hennessy moved to amend said bill by striking out all after the enacting clause, and insert the following:

Section 1. Section nineteen hundred and seven of the code of civil procedure is hereby amended so as to read as follows:

§ 1907. No action, civil or criminal, can be maintained for the publication of a fair and true report of any judicial, legislative or other public or official proceedings, without proof extra such report of malice in fact in making such publication. This section does not apply to defamatory words contained in the heading of such a report, nor to a publication of anything said or done at the time and place of any such public or official proceeding which was not properly a part thereof.

§ 2. Section nineteen hundred and eight of the code of civil procedure is hereby amended so as to read as follows:

§ 1908. In a civil action for the publication of a libel, the defendant may set up in his answer and prove upon the trial in mitigation of damages the fact that he has published a retraction of the alleged libel and a suitable apology therefor as soon as practicable after his attention was called to the falsity of such alleged libel, and may also set up in his answer and prove upon the trial in mitigation of damages what, if any, damages the plaintiff has recovered in any other action for the publication of

the same defamatory matter as that complained of in such action. Punitive or exemplary damages shall not be allowed in any such action unless the plaintiff shall prove upon the trial malice in fact, or unless it shall appear upon such trial that the defendant, after having been requested by the plaintiff in writing to retract the alleged libel has, within a reasonable time, failed to comply with such request, in a manner as public as that in which the publication complained of was made.

§ 3. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 16 }
{ NOES 72 }

Those who voted in the affirmative, were

Ainsworth	Hennessy	Schoepflin	Southworth	Terry, C.W.
Berry	Keenan	Schulz, F.F.	Sulzer	Trainor
Cahill	Roche	Seibert	Taylor	Vehslage
Gerst				

Those who voted in the negative, were

Brownell	Finnigan	Kerr	O'Grady	Smith, S.W.
Burtis	Fish	Kern	Parkhurst	Snyder
Bush	Foley	Kerrigan	Plant	Stadtfeld
Butts	Friday	La Fetra	Porter	Stein
Callahan	Gleason	Lasch	Prescott	Stewart
Carroll	Glenn	Lawson	Rider, J.J.	Stone
Chambers	Gould	Lee	Robbins	Terry, J.F.
Clark, J. H.	Gray	Lounsbury	Robertson	Thompson
Corrigan	Hoefer	Marrin	Robson	Thornton
Cutler	Horton	Matthews	Scanlon	Tilton
Davidson	Hotaling	McGuire	Schillinger	Vacheron
Dean	Houghton	McKeon	Sheffield	Van Amber
Dinkelspiel	Howe	Myers	Sherwood	Wells
Dowling	Keleher	O'Donnell	Smith, M.F.	Wilcox
Eldredge	Kelsey			

Mr. Ainsworth moved to amend said bill as follows:

Page 2, at the end of line 14 insert the following: "And if the jury is satisfied that the publication was made in good faith and without malice, then no punitive or exemplary damages shall be awarded.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. Finnigan moved to amend said bill by striking out all after the enacting clause and inserting the following:

Section 1. Section nineteen hundred and seven of the code of civil procedure is hereby amended so as to read as follows:

§ 1907. No action, civil or criminal, can be maintained for the publication of a true report of any judicial, legislative or other public or official proceedings without proving to the satisfaction of the jury malice in making such publication. This section does not apply to defamatory words contained in the heading of such a report, nor to a publication of anything said or done at the time and place of any such public or official proceeding which was not properly a part thereof.

§ 2. Section nineteen hundred and eight of the code of civil procedure is hereby amended so as to read as follows:

§ 1908. In a civil action for the publication of a libel, the defendant may set up in his answer and prove upon the trial in mitigation of damages what, if any, damages the plaintiff has recovered in any other action for the publication of the same defamatory matter as that complained of in such action. The defendant may also set up in his answer and give proof upon the trial that such publication was made in good faith.

§ 3. This act shall take effect September first, eighteen hundred and ninety-four, but the provisions of section nineteen hundred and eight shall not apply to or affect any action then pending.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time and placed on the order of third reading.

Mr. Brownell moved that the bill (No. 1413) entitled "An act relating to the construction of a viaduct over the railroad tracks where the same intersect the line of Chenango street in the city of Binghamton" (Int. No. 1041) be recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by the committee on ways and means, Int. No. 1253, entitled "An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations," reported in favor of the passage of the same, with the following amendments:

Page 12, after line 26, insert the following items:

"For the Adjutant-General, for the payment of pensions of members of the national guard, pursuant to chapter 611 of the Laws of 1887, and the acts amendatory thereof, and for payment

of expenses and examinations of claims for pensions under said acts, \$1,500, or so much thereof as may be necessary.

"For the Adjutant-General, for the construction of a gallery and furnishing of chairs for the State armory at Troy, the sum of \$2,900."

Page 15, line 12, strike out the word "bath" and insert the word "baths."

Same page, line 20, strike out the words "five hundred" and insert the words "twenty thousand."

Page 17, line 2, after the word "and" insert the word "old."

Same page, line 21, strike out the word "furnishing" and insert the word "finishing."

Page 19, line 3, after the words "shall be" insert the word "expended."

Page 28, after line 24, insert the following item:

"For the chief game and fish protector, for the payment of expenses of detectives necessarily employed in the service of his department, and for office and contingent expenses, \$2,000, or so much as may be necessary."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth moved that said bill be made a special order for Thursday, March 29, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill (No. 1249) entitled "An act to amend section 7 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, as amended by chapter 451 of the Laws of 1892, and chapter 695 of the Laws of 1893, in relation to the department of police and excise of the city of Brooklyn'" (Int. No. 1111), was read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1352) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and consolidate therewith the several acts in relation to the

charter of said city,' and the several acts amendatory thereof and supplementary thereto" (Int. No. 1208), having been announced for a second reading,

Mr. O'Grady moved to amend said bill as follows:

Page 2, line 4, strike out the words "Sinking fund of the city of Rochester for the redemption of the city's bonded debt such sums of money," and insert the words "General Sinking Fund, and one per centum of the total amount of the park bonds directed to be."

Same page, line 8, after the word "eighty-eight" insert a semicolon, and strike out the words "as may remain in after the payment of the interest upon the bonds issued pursuant to the provisions of said act."

Same page, line 16, after the words "water-rents" insert the words "after the payment of operating expenses, salaries, repairs, maintenance, or extension of said works, interest upon the water bonds issued for the construction of said works or for further extension of the same, also such penalties as may be collected for violations of the regulations of the executive board, governing the use of the city water supply."

Page 3, line 4, after the word "city" insert the words "as it may mature."

Same page, line 7, after the word "eighty-eight" in parentheses insert the words "and also such bonds as may be surrendered by the holders thereof before maturity"; also, in same page, same line, strike out the word "advantageous."

Same page, line 12, after the word "due" insert a comma.

Same page, line 14, after the word "banks" insert a comma.

Same page, line 16, after the word "due" insert a comma; also, in same page, same line, strike out the word "to" after the word "payment," and insert the word "of."

Same page, line 17, after the word "applied" insert a comma.

Same page, line 20, strike out the words "For investment in said sinking fund."

Same page, line 22, strike out the words "each year," and also the word "the" after the word "it," and insert the word "its."

Same page, line 23, strike out the word "March" and insert the words "each fiscal year."

Same page, line 25, strike out the word "past" and insert the word "fiscal"; also, strike out the comma after the word "year" and insert the words "then ending."

Page 4, line 5, strike out the word "paid" and insert the word "received."

Same page, line 6, strike out the words "then passed year" and insert the words "year then ending."

Same page, line 11, after the word "under" insert the word "which."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *March 27, 1894.* }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill (No. 845) entitled "An act to amend chapter 466 of the Laws of 1874, entitled 'An act in relation to the Firemen's Benevolent Association of Buffalo, and to regulate the number of trustees thereof.'"

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Prescott	Stevens
Babcock	Douglas	Kelsey	Rider, J.J.	Stewart
Baker	Dowling	Kern	Robbins	Stone
Berry	Eldredge	Kerrigan	Robertson	Sulzer
Brennan	Fairbrother	Lawson	Robinson	Terry, C.W.
Brownell	Fish	Lee	Robson	Thompson
Burtis	Friday	Lounsbury	Roche	Thornton
Bush	Fuller	Marrin	Scanlon	Tilton
Carroll	Gerst	Matthews	Schillinger	Trainor
Cassin	Glenn	McKeon	Schoepflin	Tuttle
Chambers	Gould	Melody	Schulz, H	Vacheron
Clark, F.E.	Gray	Mittnacht	Seibert	Van Amber
Clark, J. H.	Hennessy	Myers	Sheffield	Vehslage
Corrigan	Higbie	Nixon	Sherwood	Wells
Coughlin	Horton	O'Grady	Smith, M.F.	Whittet
Cutler	Hotaling	Parkhurst	Smith, S.W.	Wieman
Davidson	Houghton	Plant	Snyder	Wilcox
Dean	Howe	Porter	Stein	Wyckoff
Denniston				

On motion of Mr. Seibert, and by unanimous consent, said bill was amended as follows :

Strike out section 1 and insert in place thereof the following :

“§ 1. Sections 1, 2, 3 and 4 of chapter 159 of the Laws of 1869, as amended by chapter 466 of the Laws of 1874, are hereby further amended to read as follows :”

After section 4 insert the following :

“§ 2. Sections 5, 6 and 7 of chapter 159 of the Laws of 1869 are hereby amended to read as follows :”

Change § 8 to § 3 and § 9 to § 4.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Plant	Stein
Babcock	Dowling	Keenan	Porter	Stevens
Baker	Eldredge	Kelsey	Prescott	Stewart
Berry	Fairbrother	Kerr	Rider, J.J.	Stone
Braun	Fish	Kern	Robbins	Taylor
Brennan	Friday	Lawson	Robertson	Terry, C.W.
Brownell	Fuller	Lee	Robson	Thompson
Bush	Gardiner	Lounsbury	Roche	Thornton
Butts	Gerst	Marrin	Scanlon	Tilton
Cain	Gleason	Matthews	Schillinger	Trainor
Carroll	Glenn	McDermott	Schoepflin	Tuttle
Chambers	Gould	McGuire	Schulz, H	Vacheron
Clark, F.E.	Gray	McKeon	Seibert	Van Amber
Clark, J. H.	Herrman	Melody	Sheffield	Wells
Corrigan	Higbie	Messiter	Sherwood	Whittet
Coughlin	Horton	Myers	Smith, M.F.	Wieman
Cutler	Hotaling	Nixon	Smith, S.W.	Wilcox
Dean	Houghton	O'Grady	Snyder	Wyckoff
Denniston	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1256), entitled “An act to amend the code of civil procedure, relating to sheriffs’ fees” (Int. No. 1120), reported the same with the recommendation that it be amended as follows :

Page 2, line 1, strike out the word "when" and insert the word "where."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1349), entitled "An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants" (Int. No. 438), reported the same with the recommendation that it be amended as follows :

Page 2, line 6, after the word "respectively" insert a comma.

Page 4, line 24, strike out the words "nor that portion of."

Same page, line 23, after the word "Buffalo" insert the following: "lying between Michigan and Main streets; or any part of Fifth."

Same page, line 24, strike out the word "avenues" and insert the word "avenue."

Same page, line 25, strike out the words "or Madison avenues in the city of New York."

Page 5, line 1, strike out the comma after the word "structures."

Same page, line 5, strike out the word "said" and insert the word "such."

Same page, line 15, strike out the word "nor" and insert the word "or."

Page 4, line 25, strike out the words "or that" and insert the words "and no."

Page 5, line 18, strike out the word "at."

Page 10, line 26, add the letter "s" to the word "consent."

Page 11, line 17, insert a comma after the word "appointment."

Page 10, line 1, strike out after the word "such" the letter "a."

Page 11, line 3, after the word "constructed" place a comma.

Same page, line 20, strike off the letter "s" from the word "commissions" making it "commission."

Page 13, line 21, after the word "necessary" strike out the comma; same line, insert a comma after the word "do."

Page 17, line 9, begin the word "for" with a capital "F."

Same page, line 10, begin the word "against" with capital "A."

Page 18, line 21, strike out the word "or" and insert the word "of."

Page 22, line 9, after the word "constructing" insert a comma.

Same page, line 14, strike out the word "franchises" and insert the word "franchise."

Page 25, line 5, begin the word "for" with a capital "F."

Same page, line 6, begin the word "against" with a capital "A."

Same page, line 9, begin the word "for" with a capital "F."

Same page, line 10, begin the word "against" with a capital "A."

Page 31, line 15, strike out the letter "s" from word "interests."
Page 34, line 28, strike out the word "all" and insert word "is."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1424) entitled "An act to incorporate the New York Zoological and Botanical Gardens, and to provide for the establishment of zoological and botanical gardens in the city of New York" (Int. No. 453), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the word "Cockerell" and insert the word "Cockerill."

Page 2, line 2, strike out the word "Gallaway" and insert the word "Galloway."

Same page, line 9, begin the words "zoological," "botanical" and "garden," each with a capital letter.

Page 3, line 22, after the word "money" insert a comma.

Same page, line 23, after the word "dollars" strike out comma.

Page 4, line 18, strike out word "the" and insert word "this."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1279) entitled "An act to amend chapter 458 of the Laws of 1884, entitled 'An act to provide additional accommodations for the common schools in the city of New York,' as amended and extended by chapter 494 of the Laws of 1885, chapter 456 of the Laws of 1886, chapter 136 of the Laws of 1888, chapter 252 of the Laws of 1889, chapter 264 of the Laws of 1891, and chapter 282 of the Laws of 1893" (Int. No. 142), reported the same without recommendation, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1156) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo'" (Int. No. 1022), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "ninety-one" insert the words "entitled 'An act to revise the charter of the city of Buffalo, as amended by chapter 245 of the Laws of 1893.'"

Same page, line 3, after word "hereby" insert word "further."

Page 2, line 2, strike out comma after the word "their."

Page 4, line 24, strike out the word "chapter" and insert the words "act as amended by chapter 245 of the Laws of 1893."

Page 5, line 20, change the words "su mof" to "sum of."

Page 6, line 17, strike out the word "chapter" and insert the words "act as amended by chapter 245 of the Laws of 1893."

Page 7, line 6, strike out comma after the word "upon."

Same page, line 8, change the word "orad" to "oral;" also, after the word "defendant" begin a paragraph.

Page 11, line 8, underscore the words "or she."

Same page, line 11, strike out the word "judg." and insert "judgment creditor may refuse judgment against property as if."

Same page, line 9, change the word "fter" to "after."

Same page, line 22, strike out the third "t" in "settlement."

Same page, line 26, change "employer" to "employor."

Pages 12 and 13, strike out all matter in parentheses.

Page 12, line 16, change the word "chapter" to the word "act."

Page 13, line 8, strike out the word "chapter" and insert "act as amended by chapter 245 of the Laws of 1893."

Page 14, line 10, strike out the word "(such)."

Page 15, line 17, strike out the word "chapter" and insert "act as amended by chapter 242 of the Laws of 1893."

Page 12, line 4, insert a semicolon after the word "account."

Page 16, line 3, strike out the word "chapter" and insert the word "act."

Page 17, line 2, strike out comma and insert a semicolon.

Page 18, after line 8, insert a new section as follows:

"§ 10. This act shall take effect immediately."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend the Code of Criminal Procedure, relating to application for certificate of stay, not to be granted." (Int. No. 986.)

"An act to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners.'" (Int. No. 205.)

"An act to amend the railroad law, relating to consents of property owners for building and operation of street surface railroads." (Int. No. 1018.)

"An act in relation to the designation and appointment of medical service in the public institutions of cities and counties of the State." (Int. No. 922.)

"An act to amend the Code of Civil Procedure, relating to publication of notices of sale." (Int. No. 990.)

"An act to amend the Code of Civil Procedure, relating to return of execution." (Int. No. 221.)

"An act to establish an epileptic colony and making an appropriation therefor." (Int. No. 820.)

"An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relating to schools." (Int. No. 1033.)

"An act to amend the insurance law, relating to town and county co-operative insurance corporations." (Int. No. 822.)

"An act to amend the Revised Statutes and the general corporation law, in relation to changing the principal business office of a corporation." (Int. No. 1058.)

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill (No. 438) entitled "An act for the disposition and use of insurance moneys received for loss or damage of property in the State normal and training schools" (Int. No. 129), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill (No. 129) entitled "An act to amend chapter 231 of the Laws of 1873, entitled 'An act to amend the charter of the West Side German Dispensary in the city of New York'" (Int. No. 124), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Stevens offered for the consideration of the House a resolution, in the words following:

Resolved, That a respectful message be sent to the Senate, requesting the return to the Assembly of Assembly bill No. 292, entitled "An act in relation to the public lands, constituting chapter 11 of the general laws," for the purpose of reconsideration.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate.

The Senate returned the concurrent resolution for the appointment of a joint committee of the Senate and Assembly to entertain the members of the New Jersey Legislature, with a message that they have appointed Messrs. Saxton, O'Connor, Coggeshall, Cantor and McMahon as the committee on the part of the Senate.

The Senate returned the bill (No. 1119) entitled "An act to provide for the construction of a building for certain purposes relating to the public interests in the city of New York" (Int. No. 720), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, as amended:

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction, and acts amendatory thereof, in relation to deaf mutes and blind persons eligible as State pupils.'" (No. 471, Int. No. 444.)

"An act to amend the county law, relating to the salary of the county judge of Delaware county." (No. 361, Int. No. 347.)

"An act to amend chapter 8 of the Laws of 1893, entitled 'An act to amend chapter 398 of the Laws of 1892, entitled An act to provide for a convention to revise and amend the Constitution.'" (No. 896, Int. No. 825.)

Ordered, That the Clerk deliver said bills to the Governor.

The privileges of the floor were extended to Hon. George Sherwood, former member of this House.

Mr. Wyckoff offered for the consideration of the House a resolution, in the words following:

Whereas, The New Jersey Highway Improvement Association have invited the agricultural committee of this House and the committee on roads and bridges of the Senate to visit the State

of New Jersey and inspect the roads improved by them, and witness the practical operation of their highway law; therefore,

Resolved (if the Senate concur), That the agricultural committee of this House and the committee on roads and bridges of the Senate be authorized to accept the said invitation.

Said resolution was referred to the committee on ways and means.

The bill (No. 1208), entitled "An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provision for the celebration of Memorial Day, including the year 1893'" (Int. No. 1116), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Ainsworth moved that the committee on ways and means be discharged from the further consideration of the resolution offered by Mr. Wyckoff, authorizing the committee on agriculture to visit the State of New Jersey.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth moved that said resolution be adopted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Finnigan	Kerr	Porter	Stevens
Babcock	Fish	Kern	Prescott	Stewart
Baker	Friday	La Fetra	Rider, J.J.	Stone
Berry	Fuller	Lawson	Robbins	Sulzer
Brownell	Gardiner	Lee	Robson	Terry, C W.
Burtis	Gerst	Lounsbury	Roche	Terry, J.F.
Bush	Glenn	Marrin	Scanlon	Thornton
Callahan	Gould	Matthews	Schoepflin	Tilton
Cassin	Harrigan	McDermott	Schulz, H	Trainor
Chambers	Herrman	McGuire	Seibert	Tuttle
Corrigan	Higbie	McKeon	Sheffield	Vacheron
Cutler	Hoefer	Melody	Sherwood	Van Amber
Davidson	Horton	Messiter	Smith, M.F.	Vehslage
Dean	Howe	Mittnacht	Smith, S.W.	Wells
Denniston	Hoysradt	Nixon	Snyder	Wieman

Dinkelspiel	Keck	O'Donnell	Southworth	Wilcox
Dowling	Keleher	O'Grady	Stadtfeld	Wyckoff
Eldredge	Kelsey	Plant		

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Taylor, the House adjourned.

WEDNESDAY, MARCH 28, 1894.

The House met pursuant to adjournment.

Prayer by Rev. G. Brainerd Thrall.

On motion of Mr. Baker, the journal of yesterday was approved without being read.

Mr. C. W. Terry, introduced a bill entitled "An act to provide for the care and support by the State of pauper Indians" (Int. No. 1284), which was read the first time and referred to the committee on Indian affairs.

Mr. Gardiner introduced a bill entitled "An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery" (Int. No. 1285), which was read the first time and referred to the committee on internal affairs.

Mr. Gleason introduced a bill entitled "An act to amend section 52 of chapter 410 of the Laws of 1882" (Int. No. 1286), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. J. H. Clark introduced a bill entitled "An act to authorize the establishment of a system for lighting the village of North Tonawanda, Niagara county, with electric light and to provide the necessary funds for that purpose" (Int. No. 1287), which was read the first time and referred to the committee on affairs of villages.

Mr. Ainsworth introduced a bill entitled "An act to amend subdivision 29 of section 9 of chapter 367 of the Laws of 1876, entitled 'An act to revise the charter of the city of Oswego and acts amendatory thereof'" (Int. No. 1288), which was read the first time and referred to the committee on affairs of cities.

Mr. Berry introduced a bill entitled "An act to appoint water

commissioners and to empower the taxpayers and voters of the city of Mount Vernon, Westchester county, to raise by vote and the board of water commissioners of said city upon said vote to borrow upon the credit of said city and issue bonds for a sum not exceeding fifteen per centum of the assessed valuation of the property of the city, as appears upon the assessment roll of said city for the year 1893, for the purpose of purchasing the necessary lands, water property rights, easements and franchises therefor, in said county and any adjoining county, and of the construction, building and furnishing a system of water works to supply said city with pure and wholesome water" (Int. No. 1289), which was read the first time and referred to the committee on affairs of cities.

Mr. Friday introduced a bill entitled "An act in relation to taxes returned to the treasurer of counties of the State of over 600,000 inhabitants for cancellation and returned as rejected taxes" (Int. No. 1290), which was read the first time and referred to the committee on taxation and retrenchment.

Also, a bill entitled "An act to amend an act entitled 'An act in relation to the sale and redemption of lands sold for taxes,' being chapter 711 of the Laws of 1893" (Int. No. 1291), which was read the first time and referred to the committee on general laws.

Mr. Wray (by request) introduced a bill entitled "An act in relation to New York avenue in the city of Brooklyn" (Int. No. 1292), which was read the first time and referred to the committee on affairs of cities.

Also (by request), a bill entitled "An act for the improvement of certain county roads" (Int. No. 1293), which was read the first time and referred to the committee on internal affairs.

Mr. J. F. Terry (by request), introduced a bill entitled "An act to provide for the building of an iron bridge across the Sacandaga river, below the Stewart mill dam, and making appropriation therefor" (Int. No. 1294), which was read the first time and referred to the committee on ways and means.

Also (by request), a bill entitled "An act in reference to life insurance companies doing business on the co-operative or assessment plan" (Int. No. 1295), which was read the first time and referred to the committee on internal affairs.

Mr. Gray introduced a bill entitled "An act to authorize the commissioners of highways of the town of Pleasant Valley, Dutchess county, State of New York, to raise such sum of money as shall be necessary to work and maintain the highways of said town" (Int. No. 1296), which was read the first time and referred to the committee on internal affairs.

Mr. Hoefler introduced a bill entitled "An act making an appropriation for the erection of the State Armory at Utica" (Int. No. 1297), which was read the first time and referred to the committee on ways and means.

Mr. Douglas introduced a bill entitled "An act to authorize and enable the city of Cohoes to borrow money upon its credit, for the purpose of removing the present school building situate on Mangam street in that city and erecting upon the same site a public school building, and to properly furnish and equip the same" (No. 1298), which was read the first time and referred to the committee on affairs of cities.

Mr. McNamee introduced a bill entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston, passed March 29, 1872'" (Int. No. 1299), which was read the first time and referred to the committee on affairs of cities.

Mr. Lawson introduced a bill entitled "An act to release from assessments heretofore levied on certain real estate of St. John's Methodist Episcopal Church in the city of New York" (Int. No. 1300), which was read the first time and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to amend chapter 256 of the Laws of 1888, entitled 'An act to prevent the use of certain parks and streets in the city of New York for railroads'" (Int. No. 1301), which was read the first time and referred to the committee on affairs of cities.

Mr. Wells introduced a bill entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of school houses and the payment of debts contracted for the purchase of land for school purposes" (Int. No. 1302), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 51 of the Laws of 1870, entitled 'An act to amend the act for the incorporation

of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848" (Int. No. 1303), which was read the first time and referred to the committee on general laws.

Also, a bill entitled "An act to further amend chapter 26 of the Laws of 1855, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city'" (Int. No. 1304), which was read the first time and referred to the committee on affairs of cities.

Mr. Thornton introduced a bill entitled "An act to repeal section 1023 and to amend sections 993 and 1022 of the Code of Civil Procedure" (Int. No. 1305), which was read the first time and referred to the committee on codes.

Mr. Sherwood (by request), introduced a bill entitled "An act to amend chapter 418 of the Laws of 1879, entitled 'An act to amend chapter 501 of the Laws of 1873, entitled An act to amend an act entitled An act requiring mortgages of personal property to be filed in the town clerk's and other offices,' passed April 29, 1833" (Int. No. 1306), which was read the first time and referred to the committee on the judiciary.

Also (by request), a bill entitled "An act further to amend chapter 315 of the Laws of 1884, entitled 'An act requiring contracts for the conditional sales of property on credit to be filed in the town clerk's and other offices'" (Int. No. 1307), which was read the first time and referred to the committee on the judiciary.

Mr. Fairbrother introduced a bill entitled "An act to authorize the town of Newtown, in Queens county, to convey certain real estate, being part of its common lands" (Int. No. 1308), which was read the first time and referred to the committee on the judiciary.

Mr. M. F. Smith introduced a bill entitled "An act to amend section 4 of title 3 of chapter 200 of the Laws of 1873, entitled 'An act to amend the charter of the village of Addison, in the county of Steuben, incorporated under chapter 426 of the Laws of 1847, as amended by chapter 511 of the Laws of 1884'" (Int. No. 1309), was read the first time and referred to the committee on affairs of villages.

Mr. Seibert introduced a bill entitled "An act to authorize the Buffalo library to take and hold property for special purposes"

(Int. No. 1310), which was read the first time and referred to the committee on the judiciary.

Also, a bill entitled "An act to make the office of sheriff of Steuben county a salaried office, and regulating the managers of said office" (Int. No. 1313), which was read the first time and referred to the committee on internal affairs.

Mr. Higbie introduced a bill entitled "An act authorizing the clerk of the Assembly to cause to be printed and distributed copies of the game laws" (Int. No. 1311), which was read the first time and referred to the committee on ways and means.

Mr. Robinson introduced a bill entitled "An act to authorize and provide for the construction of bridges over Newton creek for the purpose of public travel between the counties of Kings and Queens" (Int. No. 1314), which was read the first time and referred to the committee on commerce and navigation.

Mr. Hobbie introduced a bill entitled "An act to amend chapter 690 of the Laws of 1892, known as the insurance law" (Int. No. 1315), which was read the first time and referred to the committee on insurance.

Mr. Kerrigan introduced a bill entitled "An act to amend section 1081 of the Code of Civil Procedure" (Int. No. 1316), which was read the first time and referred to the committee on codes.

Mr. Herrman introduced a bill entitled "An act to amend subdivision 8 of the twenty-first paragraph of section 194 of chapter 410 of the Laws of 1862, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to St. John's guild" (Int. No. 1317), which was read the first time and referred to the committee on affairs of cities.

Mr. Wray (by request) introduced a bill entitled "An act to establish and settle the pier head and bulk head lines along the easterly shore of New York harbor, at Bay Ridge, in the town of New Utrecht, in the county of Kings" (Int. No. 1318), which was read the first time and referred to the committee on commerce and navigation.

Also (by request), a bill entitled "An act to provide for the completion of the armory for the 13th Regiment in the city of Brooklyn" (Int. No. 1319), which was read the first time and referred to the committee on ways and means.

Also (by request), a bill entitled "An act to authorize the

making of compensation for damages to property occasioned by the change of grade of streets adjacent thereto in the Eighth ward of the city of Brooklyn" (Int. No. 1320), which was read the first time and referred to the committee on affairs of cities.

Mr. Braun introduced a bill entitled "An act to amend section 1 of article 1 of title 19 of chapter 20 of part 1 of the Revised Statutes, entitled "Of brokerage, stock jobbing and pawn brokers" (Int. No. 1321), which was read the first time and referred to the committee on general laws.

Mr. Marrin introduced a bill entitled "An act to authorize the board of street opening and improvement of the city of New York to establish a public place on the southeasterly properties of Cedar Park in said city, for the convenience of public travel and traffic" (Int. No. 1322), which was read the first time and referred to the committee on affairs of cities.

Mr. Lawson introduced a bill entitled "An act to amend section 3374 of the Code of Civil Procedure, relating to the abandonment and discontinuance of condemnation proceedings" (Int. No. 1323), which was read the first time and referred to the committee on codes.

Mr. Ainsworth introduced a bill entitled "An act making an appropriation for the payment of expenses of a convention to revise and amend the Constitution of the State" (Int. No. 1324), which was read the first time and referred to the committee on ways and means.

Also, a bill entitled "An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof" (Int. No. 1325), which was read the first time and referred to the committee on affairs of cities.

Mr. Baker introduced a bill entitled "An act empowering the supervisor and commissioner of highways of the town of Plattsburgh to purchase a stone crusher and power and to provide for the working of highway assessments in connection therewith" (Int. No. 1326), which was read the first time and referred to the committee on internal affairs.

The Senate sent for concurrence the following entitled bills:

"An act to amend section 4 of title 1 of chapter 13 of part first of the Revised Statutes, relating to exemptions from taxa-

tion" (No. 789, Rec. No. 223), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to legalize certain municipal securities" (No. 738, Rec. No. 224), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the board of education of Union Free School District No. 1 of the town of Caldwell, Warren county, to issue bonds for the purpose of purchasing lands for a school site and to erect a new school house thereon; and to authorize the said board of education to sell the old school site and buildings and to legal the proceedings of a meeting of said district held September 26, 1893" (No. 790, Rec. No. 225), which was read the first time and referred to the committee on public education.

"An act to legalize the conveyance of certain lands to the railroad commissioners of the town of New Lebanon in the county of Columbia, and to authorize said commissioners to hold and convey the same" (No. 615, Rec. No. 226), which was read the first time and referred to the committee on general laws.

"An act for the relief of the Goshen Sanitarium Company of Goshen, N. Y., and to legalize its corporation" (No. 379, Rec. No. 229), which was read the first time and referred to the committee on general laws.

"An act to amend chapter 690 of the Laws of 1892, known as the insurance law" (No. 842, Rec. No. 234), which was read the first time and referred to the committee on insurance.

"An act to amend chapter 101 of the Laws of 1894, entitled 'An act to authorize the commissioners of the sinking fund of the city of New York to cancel and amend certain assessments and sales to the mayor, alderman and commonalty of the city of New York, for assessments affecting property in the city of New York, and directing the comptroller to make such assessments accordingly'" (not printed, Rec. No. 233), which was read the first time and referred to the committee on affairs of cities.

"An act to encourage and promote the professional training of teachers" (No. 437, Rec. No. 222), which was read the first time and referred to the committee on public education.

"An act in relation to the coroner's physician in the eastern district of the county of Kings" (No. 633, Rec. No. 215), which was read the first time and referred to the committee on public health.

"An act making an appropriation for the construction of a drain in the village of Whitesboro, Oneida county" (No. 219, Rec. No. 264), which was read the first time and referred to the committee on ways and means.

"An act to amend the Military Code" (No. 487, Rec. No. 242), which was read the first time and referred to the committee on military affairs.

"An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police force in the city of Yonkers'" (No. 665, Rec. No. 231), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 357 of the Laws of 1892, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,' so far as it relates to the interest and taxation on securities issued by the city of Brooklyn" (No. 745, Rec. No. 261), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations, constituting chapter 38 of the general laws'" (No. 699, Rec. No. 218), which was read the first time and referred to the committee on affairs of cities.

"An act further to extend the time within which the Troy and New England railway company shall begin the construction of its railroad and expend thereon 10 per cent of its capital" (No. 397, Rec. No. 217), which was read the first time and referred to the committee on railroads.

"An act to amend chapter 413 of the Laws of 1892, entitled 'An act to provide for the construction of a draw-bridge over the Harlem river, in the city of New York, and for the removal of the present bridge at Third avenue in said city" (No. 546, Rec. No. 216), which was read the first time and referred to the committee on commerce and navigation.

"An act for the relief of Temple Israel of Harlem, and authorizing it to use that name" (not printed, Rec. No. 219), was read the first time.

On motion of Mr. Herrman, said bill was substituted for Assembly bill (No. 1210, Int. No. 1011), same subject and title.

"An act to enable the village of Oneida to refund its bonded indebtedness and to issue bonds for that purpose" (No. 607, Rec.

No. 221), which was read the first time and referred to the committee on affairs of villages.

"An act supplemental to chapter 639 of the Laws of 1871, entitled 'An act to regulate and protect the planting of oysters in the public waters of the towns of Jamaica and Hempstead in the county of Queens'" (No. 722, Rec. No. 241), which was read the first time and referred to the committee on commerce and navigation.

"An act relative to the Brooklyn society for the prevention of cruelty to children" (No. 766, Rec. No. 262), which was read the first time and referred to the committee on charitable and religious societies.

"An act to incorporate the St. Lawrence River Bridge Company" (No. 220, Rec. No. 220), which was read the first time and referred to the committee on commerce and navigation.

"An act to authorize the Board of Estimate and Apportionment of the city of New York, to examine the claim of George W. Sauer, and to make appropriation for the same or any part thereof, which shall be justly due" (No. 747, Rec. No. 250), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provision for the celebration of Memorial Day, including the year 1893'" (No. 756, Rec. No. 247), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize and direct the State Engineer and Surveyor to prepare plans, specifications and estimates for a complete overhauling or renewal of the West Main street lift bridge over the Erie canal in the city of Rochester and making an appropriation therefor" (No. 701, Rec. No. 246), which was read the first time and referred to the committee on ways and means.

"An act to change the name of 'The National Saving and Loan Association of Rochester, N. Y.'" (No. 824, Rec. No. 244), which was read the first time and referred to the committee on banks.

"An act to amend section 2906 of the Code of Civil Procedure, relating to the attachment of property in justices' courts" (No. 688, Rec. No. 243), which was read the first time and referred to the committee on codes.

"An act to amend title 5, of chapter 18 of the Code of Civil

Procedure in relation to, and to provide for, disposition of decedent's real property for the payment of debts, funeral expenses and certain liens thereon" (No. 788, Rec. No. 240), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 1380 of the Code of Civil Procedure" (No. 653, Rec. No. 239), which was read the first time and referred to the committee on codes.

"An act to prevent the pollution of the Oswegatchie river and the water supply of the city of Ogdensburg" (No. 733, Rec. No. 236), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 23 of chapter 39 of the Laws of 1853, so amended by chapter 679 of the Laws of 1871, as to be entitled 'An act to supply the city of Watertown with pure and wholesome water, and for other purposes'" (No. 734, Rec. No. 235), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 303 of the Laws of 1893, entitled 'An act to authorize and direct the city of Buffalo to remove and reinter the human remains buried in the old Indian burying ground located in the Fifth ward of said city'" (No. 811, Rec. No. 232), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. Schoepflin, said bill was substituted for Assembly bill No. 1312, Int. No. 1155, same title and subject.

"An act to amend chapter 360 of the Laws of 1889, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn'" (No. 597, Rec. No. 230), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 30 of title 3 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany'" (No. 791, Rec. No. 249), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 707 of the Laws of 1893, entitled 'An act to incorporate the Model Town Company, to define its rights, powers and privileges, and for other purposes'" (No. 184,

Rec. No. 257), which was read the first time and referred to the committee on general laws.

"An act to amend chapter 30 of the Laws of 1884, entitled 'An act in relation to the study of physiology and hygiene in the public schools'" (No. 658, Rec. No. 259), which was read the first time and referred to the committee on public education.

"An act to amend section 31 of title 15 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,' as amended by chapter 354 of the Laws of 1889, entitled 'An act to amend chapter 583 of the Laws of 1888,' entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as it relates to auxiliary sewers" (No. 746, Rec. No. 260), which was read the first time and referred to the committee on affairs of cities.

"An act to amend certain sections of chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled 'An act to incorporate the city of Ogdensburg and the acts amending the same'" (No. 758, Rec. No. 258), which was read the first time and referred to the committee on general laws.

"An act to repeal chapter 391 of the Laws of 1886" (No. 826, Rec. No. 263), which was read the first time and referred to the committee on taxation and retrenchment.

The Senate returned the bill (No. 400) entitled "An act to authorize the city of Oswego to borrow money, and to raise by tax upon the real and personal property of said city a sufficient sum to repay the same" (Int. No. 146), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor for the purpose of amendment the bill (No. 612, Int. No. 204), entitled "An act to authorize the village of Tonawanda, New York, to purchase and use one or more automatic ballot cabinets at village elections," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate returned the preamble and concurrent resolution

authorizing the committee on agriculture of the Assembly, and of roads and bridges of the Senate, to accept an invitation of the New Jersey Highway Improvement Association to visit and inspect the roads in New Jersey, improved by said association, with a message that they have concurred in the passage of the same, without amendment.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same :

“An act to legalize the annual meeting for the election of officers in the village of Cuba, Allegany county, New York.” (Not printed, Int. No. 1255.)

“An act to supply the village of Penn Yan with pure and wholesome water, and to provide for the construction and maintenance of a system of sewers in said village.” (No. 1206, Int. No. 1096.)

“An act to amend the Code of Civil Procedure, relating to summary proceedings to recover the possession of real property.” (No. 701, Int. No. 183.)

“An act to amend chapter 549 of the Laws of 1865, entitled ‘An act to incorporate the city of Newburgh, and the several acts amendatory thereof.’” (No. 934, Int. 671.)

“An act to further amend chapter 385 of the Laws of 1867, entitled ‘An act to incorporate the village of Warwick.’” (No. 1108, Int. No. 794.)

“An act to prohibit the manufacture or sale of brushes in the prison known as the Albany penitentiary.” (No. 806, Int. No. 54.)

“An act to amend chapter 219 of the Laws of 1874, entitled ‘An act authorizing Erminda O. Goodwin to continue a ferry across Seneca lake.’” (No. 677, Int. No. 576.)

“An act to amend the county law, in relation to the salaries of the county judge and surrogate of Suffolk county.” (No. 900, Int. No. 832.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Bush introduced a bill entitled “An act to amend chapter 266 of the Laws of 1893, entitled ‘An act to amend, revise and consolidate the acts relating to the village of Horseheads, in Chemung county, and enlarge the powers of the corporation of said village.’” (Int. No. 1312), which was read the first time.

Mr. Bush asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those voting in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Rider, J.J.	Stone
Babcock	Douglas	Kelsey	Robbins	Sulzer
Baker	Eldredge	Kerr	Robertson	Taylor
Berry	Fairbrother	Kern	Robinson	Terry, J.F.
Braun	Fish	Kerrigan	Robson	Thompson
Brennan	Friday	Lasch	Roche	Thornton
Brownell	Fuller	Lawson	Scanlon	Tilton
Burtis	Gardiner	Lee	Schoepflin	Trainor
Bush	Gerst	Lounsbury	Seibert	Tuttle
Carroll	Glenn	Matthews	Sheffield	Vacheron
Cassin	Gould	Melody	Sherwood	Van Amber
Chambers	Gray	Messiter	Smith, M.F.	Vehslage
Clark, F.E.	Higbie	Myers	Smith, S.W.	Wells
Clark, J. H.	Hobbie	Nixon	Snyder	Whittet
Coughlin	Hoefer	O'Grady	Stein	Wieman
Cutler	Horton	Plant	Stevens	Wilcox
Dean	Hotaling	Porter	Stewart	Wyckoff
Denniston	Houghton	Prescott		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1229, entitled "An act to provide for serial publication, without expense to the State, of the decisions of certain courts as soon as handed down," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wray, Int. No. 1262, entitled "An act to amend chapter 195 of the Laws of 1848,

entitled 'An act to provide for the taking of acknowledgments of deeds and other written instruments by persons residing out of the State of New York,' and acts amendatory thereof and supplemental thereto," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Berry, Int. No. 906, entitled "An act to amend section 3 of chapter 137 of the Laws of 1877, entitled 'An act to incorporate the library and reading room of the village of Port Chester in Westchester county,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Berry, Int. No. 765, entitled "An act to confirm the proceedings taken in the issue of the village of New Rochelle highway improvement bonds numbered 'B one' to 'B fifty' inclusive," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wray, Int. No. 1211, entitled "An act relative to the Supreme Court of the second judicial department," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Taylor, Int. No. 1241, entitled "Concurrent resolution proposing amendment to article 6 of the Constitution of this State in relation to county judges and the court of sessions in the county of Kings," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hennessy, Int. No. 1109, entitled "Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court," reported in favor of the passage

of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. O'Grady, Int. No. 823, entitled "An act to amend section 31 of article 2 of chapter 6 of the general laws, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,'" reported in favor of the passage of the same, with the following amendment:

Page 1, line 10, after the word "fourth" insert the word "Saturdays;" in the same line, after the word "fifth" insert the word "and."

HOWARD THORNTON,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheffield, Int. No. 941, entitled "An act to amend the business corporation law," reported in favor of the passage of the same, with the following amendments:

Page 2, lines 13 and 14, strike out the words "two thousand" and insert the words "five hundred."

Same page, line 15, strike out the words "location of" and insert the words "city, village or town in which;" also insert after the word "office" the words "is to be located."

Page 3, line 18, after the word "any" insert the word "stock."

Same page, line 19, after the word "organized" insert the words "except a monied or transportation corporation."

HOWARD THORNTON,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheffield, Int. No. 939, "An act to amend the general corporation law," reported in favor of the passage of the following substitute therefor:

AN ACT to amend the general corporation law.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The several parts and sections of the general corporation law, corresponding to those hereinafter specified, are amended so as to read, respectively, as follows:

§ 3. Definitions.—A municipal corporation includes a county, town, school district, village and city, and any other territorial division of the state established by law with powers of local government. A stock corporation is a corporation having capital stock divided into shares, entitling the holders thereof to a distribution of dividends out of the surplus profits of the corporation. A corporation is not a stock corporation and has not capital stock divided into shares if it has issued no other certificates of stock than certificates, which are, in fact, merely certificates of membership and do not lawfully entitle the holder thereof to any dividend or distributive share of profits arising from the business of the corporation. [A mixed corporation is a corporation which may or may not have capital stock, at its option.] A moneyed corporation is a corporation formed under or subject to the banking or the insurance law. A domestic corporation is a corporation incorporated by or under the laws of the state or colony of New York. Every corporation which is not a domestic corporation is a foreign corporation, except as provided by the code of civil procedure for the purpose of construing such code. The term directors, when used in relation to corporations, shall include trustees or other persons, by whatever name known, duly appointed or designated to manage the affairs of the corporation. The term, certificate of incorporation, shall include articles of association or any other written instruments required by law to be filed, to effect the incorporation of a corporation, including a certified copy of an original certificate of incorporation filed for such purpose in pursuance of law. The term, member of a corporation, shall include every person having a right to vote at a meeting of the corporation for the election of directors, other than a person having a right to vote only upon a proxy. The term, office of a corporation, means its principal office within the state, or principal place of business within the state, if it has no principal office therein. [The office of a stock corporation shall be in the county, town or city in which its business is principally carried on.] The term, business of a corporation, when used with reference to a non-stock corporation, includes the operations for the conduct of which it is incorporated. The term, corporate law or laws, when used in any law forming a part of the revision of the general laws of the state of which this chapter is a part, means the general laws of the state relating to corporations included in such revision.

§ 4. Qualifications of incorporators.—A certificate of incorporation must be executed by natural persons, who must be of full age, and at least two-thirds of them must be citizens of the United States and [a majority] one of them a resident of this state.

This section shall not apply to a corporation formed by the reincorporation or consolidation of existing corporations, or to the reorganization of a corporation upon the sale of the property and franchises of a previously existing corporation or otherwise.

§ 5. Filing and recording certificates of incorporation.— Every certificate of incorporation and amended or supplemental certificate hereafter executed, except of a religious, cemetery, monied, municipal or fire department corporation, shall be in the English language, and be filed in the office of the secretary of state, and shall be by him duly recorded and indexed in books specially provided therefor; and a certified copy of such certificate or amended or supplemental certificate with a certificate of the secretary of state of such filing and record, or a duplicate original of such certificate or amended or supplemental certificate shall be filed and similarly recorded and indexed in the office of the clerk of the county in which the office of the corporation is to be located, or, if it be a non-stock corporation, and such county be not determined upon at the time of executing the certificate of incorporation, in such county clerk's office as the judge approving the certificate shall direct. All taxes required by law to be paid before or upon incorporation and the fees of filing and recording such certificate must be paid before filing. No corporation shall exercise any corporate powers or privileges until such taxes and fees have been paid.

§ 6. [Corporations of the same name prohibited.] Corporate names.— No certificate of incorporation of a proposed corporation having the same name of an existing domestic corporation, or a name so nearly resembling it as to be calculated to deceive, shall be filed or recorded in any office for the purpose of effecting its incorporation. A corporation formed by the reincorporation, reorganization or consolidation of other corporation or upon the sale of the property or franchises of a corporation, may have the same name as the corporation or one of the corporations to whose franchises it has succeeded. No corporation shall be organized under the laws of this state with the word bank, insurance, indemnity, guarantee or benefit as part of its name, except a corporation formed under the banking law or the insurance law.

§ 9. Certificate and other papers as evidence.— The certificate of incorporation of any corporation duly filed shall be presumptive evidence of its incorporation, and any amended certificate or other paper duly filed or recorded relating to the incorporation of any corporation, or its existence or management, and containing facts required or authorized by law to be stated therein, shall be presumptive evidence of the existence of such facts.

§ 10. Limitation of powers.— No corporation shall possess or

exercise any corporate powers not expressly given by law, or not necessary to the exercise of the powers so given. The certificate of incorporation of any corporation may contain any provision for the regulation of the business and the conduct of the affairs of the corporation, and any limitation upon its powers, or upon the powers of its directors and stockholders, which does not exempt them from the performance of any obligation or the performance of any duty imposed by law.

§ 11. Grant of general powers.—Every corporation as such has power, though not specified in the law under which it is incorporated:

1. To have succession for the period specified in its certificate of incorporation or by law, and perpetually when no period is specified.

2. To have a common seal, and alter the same at pleasure.

3. To acquire by grant, gift, purchase, devise or bequest, to hold and to dispose of such property as the purposes of the corporation shall require, subject to such limitations as may be prescribed by law.

4. To appoint such officers and agents as its business shall require, and to fix their compensation, and

5. To make by-laws, not inconsistent with any existing law, for the management of its property, the regulations of its affairs, and the transfer of its stock, if it has any, and the calling of meetings of its members. Such by-laws may also fix the amount of stock, which must be represented at meetings of the stockholders in order to constitute a quorum, unless otherwise provided by law. By-laws duly adopted at a meeting of the members of the corporation shall control the action of its directors. No by-law adopted by the board of directors regulating the election of directors or officers shall be valid unless published for at least [two] once a week for two successive weeks in a newspaper in the county where the election is to be held, and at least thirty days before such election. Subdivisions four and five of this section shall not apply to municipal corporations.

§ 16. Proof to be filed before granting certificate.—Before granting such certificate the secretary of state shall require every such foreign corporation to file in his office a sworn copy in the English language of its charter or certificate of incorporation and a statement under its corporate seal particularly setting forth the business or objects of the corporation which it is engaged in carrying on or which it proposes to carry on within the state, and a place within the state which is to be its principal place of business, and designating in the manner prescribed in the code of civil procedure a person upon whom process against the corporation

may be served within the state. The person so designated must have an office or place of business at the place where such corporation is to have its principal place of business within the state. Such designation shall continue in force until revoked by an instrument in writing designating in like manner some other person upon whom process against the corporation may be served in this state. If the persons so designated dies or removes from the place where the corporation has its principal place of business within the state, and the corporation does not within thirty days after such death or removal designate in like manner another person upon whom process against it may be served within the state, the secretary of state may revoke the authority of the corporation to do business within the state, and process against the corporation in an action upon any liability incurred within this state before such revocation, may, after such death or removal, and before another designation is made, be served upon the secretary of state. At the time of such service the plaintiff shall pay to the secretary of state two dollars, to be included in his taxable costs and disbursements, and the secretary of state shall forthwith mail a copy of such notice to such corporation if its address, or the address of any officer thereof, is known to him.

§ 21. Proxies.—Every member of a corporation, except a religious corporation, entitled to vote at any meeting thereof may so vote by proxy. No officer, clerk, teller or bookkeeper of a corporation formed under or subject to the banking law shall act as proxy for any stockholder at any meeting of any such corporation. Every proxy must be executed in writing by the member himself, or by his duly authorized attorney. [No proxy hereafter made shall be valid after the expiration of eleven months from the date of its execution unless the member executing it shall have specified therein the length of time it is to continue in force, which shall be for some limited period.] Every proxy shall be revocable at the pleasure of the person executing it; but a corporation having no capital stock may prescribe in its by-laws the persons who may act as proxies for members, and the length of time for which proxies may be executed.

§ 22. Challenges.—Every member of a corporation offering to vote at any election or meeting of the corporation shall, if required by an inspector of election or other officer presiding at such election or meeting, or by any other member present, take and subscribe the following oath: "I do solemnly swear that in voting at this election I have not, either directly, indirectly or impliedly, received any promise or any sum of money, or anything of value to influence the giving of my vote or votes at this meeting or as a consideration therefor." If it is a stock corporation, the oath so taken and subscribed shall contain the

following additional provision: "That I have not sold or otherwise disposed of my interest in or title to any shares of stock or bonds in respect to which I offer to vote at this election, but that all such shares or bonds are still owned by me," but if such stock or bonds be pledged the oath may so state. Any person offering to vote as proxy for any other person shall present his proxy and, if so required, take and subscribe the following oath: "I do solemnly swear that I have not, either directly, indirectly or impliedly, given any promise or any sum of money or anything of value to induce the giving of a proxy to me to vote at this election, or received any promise or any sum of money or anything of value to influence the giving of my vote at this meeting, or as a consideration therefor." If a stock corporation, the oath so taken and subscribed shall contain the following additional provision: "And that the title to the stocks and bonds upon which I now offer to vote is, to the best of my knowledge and belief, truly and in good faith vested in the persons in whose names they now stand," but if such stocks or bonds be held as security, the oath may so state. The inspectors or persons presiding at the election may administer such oath, and all such oaths and proxies shall be filed in the office of the corporation.

§ 2. The general corporation law is hereby amended by adding thereto new sections to read as follows:

§ 38. When notice or lapse of time unnecessary.—Whenever under the provisions of any of the corporate laws a corporation is authorized to take any action after notice to its members or after the lapse of a prescribed period of time, such action may be taken without notice and without the lapse of any period of time, if such action be authorized or approved, and such requirements be waived in writing by every member of such corporation.

§ 39. As to acts of directors.—Whenever, under the provisions of any of the corporation laws, a corporation is authorized to take any action by the agreement or action of its directors, managers or trustees, such agreement or action may be taken by such directors, regularly convened as a board, and acting by a majority of a quorum, except when otherwise expressly required by law, and any such agreement shall be executed in behalf of the corporation by such officers as shall be designated by the board of directors, managers or trustees.

§ 40. The charter of every corporation shall be subject to alteration, suspension and repeal, in the discretion of the legislature.

§ 3. This act shall take effect immediately.

HOWARD THORNTON,
Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Wray, Int. No. 966, entitled "An act to amend the county law," reported in favor of the passage of the same, with the following amendments:

Page 2, strike out all of line 6, beginning with the words "No other compensation," and all of lines 7, 8, 9, 10, 11 and 12 and the first letters "sions" in line 13, and insert the words "Each supervisor shall also receive compensation from the county at the rate of four dollars per day while actually engaged in any investigation or other duty, which may be lawfully committed to him by the board, except for services rendered while the board is in session, and if such investigation or duty shall require his attendance at a place away from his residence, and five miles or more distant from the place where the board shall hold its sessions, his actual expenses incurred therein."

Same page, after the word "provided" insert the words "No other compensation or allowance shall be made to any supervisor for his services, except such as shall be, by law, a town charge."

PHILIP KECK,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bush, Int. No. 912, entitled "An act to amend chapter 464 of the Laws of 1888, entitled 'An act to amend chapter 312 of the Laws of 1884, entitled An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York,'" reported in favor of the passage of the same, with the following amendment:

Page 2, line 26, strike out the words "or chief clerk."

HOWARD THORNTON,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Keck, Int. No. 1202, entitled "An act to correct manifest errors in the general laws," reported in favor of the passage of the same, with the following amendment:

Page 3, after section 12, add a new section to read as follows: § 12a. The clause in section 40 of the public officers' law which

now reads "required to have an official seal be two and one-quarter inches in diameter" is amended to read "required to have an official seal, shall be two and one-quarter inches in diameter."

PHILIP KECK,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 202, entitled "An act to amend the stock corporation law," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Cantor, Rec. No. 148, entitled "An act to release to the Church of the Holy Communion in the city of New York all the estate, right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Greenburgh, county of Westchester and State of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Porter, Int. No. 1219, entitled "An act to amend section 62 of chapter 568 of the Laws of 1890, as amended by chapter 212 of the Laws of 1891 and by chapter 686 of the Laws of 1892, constituting chapter 19 of the general laws, being what is known as the highway law," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 56, entitled "An act vesting in Queens county the title of the people of the State of New York to certain land lying within said Queens county," reported in favor of the passage of the same, with the following amendment:

Line 3, after the word "county" strike out the word "and."

PHILIP KECK.

Chairman.

Which report was agreed to, and said bill ordered placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Keck, Int. No. 1153, entitled "An act to amend the statutory construction law in reference to the computation of days," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Keck, Int. No. 1118, entitled "An act to provide for the incorporation of medical societies in the several counties set apart in this state since the passage of the act, entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this state,' passed April 10, 1813," reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Vacheron, Int. No. 827, entitled "An act to amend an act entitled 'An act in relation to counties, constituting chapter 18 of the general laws,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Schoepflin, Int. No. 1228, entitled "An act to amend the highway law, relating to laying out highways upon line between town and city or village," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Fairbrother, Int. No. 1203, entitled "An act to further extend and amend an act entitled 'An act to incorporate the Wandowenock Fire Hook and Ladder Company, passed April 15, 1845,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Prescott, Int. No. 959,

entitled "An act to release to Edward Morgan and James McConnon all the right, title and interest of the people of the State of New York in and to certain real estate in the village of Herkimer, Herkimer county, New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on villages, to which was referred the bill introduced by Mr. Nixon, Int. No. 1148, entitled "An act in relation to the village of Fredonia," reported in favor of the passage of the same, with the following amendments:

Page 3, line 11, strike out the words "second Monday of."

Same page, strike out all of line 12.

Same page, strike out all of line 22.

Same page, after the word "preside" strike out all of lines 23, 24, 25 and 26.

Page 5, line 1, after the word "the" insert the word "expiration."

Page 6, line 17, before the word "filled" insert the word "be."

Page 15, line 2, strike out the letter "t" in the word "this."

Page 20, line 20, after the word "into" insert the word "two."

Page 25, line 25, insert the letter "t" in the word "sreet."

Page 27, line 25, strike out the word "or" and insert the word "to."

Page 28, line 7, add the letter "s" to the word "term."

Page 30, line 14, strike out the words "of the State of New York."

Page 33, line 3, insert the letter "e" in the word "expnses."

Page 39, line 26, after the word "twelve" insert the words "of this article."

Page 40, line 12, after the word "twelve" insert the words "of this article."

Page 41, line 24, prefix the letter "s" to the word "aid."

Page 42, line 5, strike out the word "hereof" and insert the words "of this article."

Same page, strike out all of line 18 after the word "therewith."

Same page, strike out all of lines 19 and 20, and insert the words "by issuing bonds in the name and on the credit of the village of Fredonia under the corporate seal thereof, which bonds shall be signed by the president and clerk of the village. The board of trustees shall."

Page 43, line 10, after the word "annum" insert the words "and be sold at not less than par."

Page 44, line 5, insert the letter "e" in the word "ben."

Same page, line 22, prefix the letter "i" to "shed."

Page 45, line 16, after the words "construct upon" insert the word "the."

Page 54, line 7, strike out the words "or water."

Page 55, line 23, strike out the word "the."

Page 56, line 19, strike out the letter "s" in the word "interests."

Page 59, line 6, strike out the word "memembrs" and insert the word "members."

Page 61, line 20, strike out the word "and" before the word "herein" and insert the word "not."

Page 62, line 8, strike out the word "of" and insert the words "thereof, the."

Page 64, line 2, strike out the letter "a" and insert the letter "o" in the word "pall."

JOHN M. CHAMBERS,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Iligbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brennan, Int. No. 769, entitled "An act extending the time for the completion of the Canton and St. Lawrence River Railroad and Bridge Company," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thompson, from the committee on banks, to which was referred the bill introduced by Mr. Mitnacht, Int. No. 1216, entitled "An act requiring all saving banks and savings institutions organized and doing business under the laws of the State of New York to notify annually each depositor thereof by mail of all balances standing to the credit of such depositor," reported in favor of the passage of the same with the following amendments:

Page 1, line 10, change the word "an" to the words "a sealed," and the word "usual" to the word "known."

E. H. THOMPSON,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Baker, Int. No. 1061, entitled "An act to amend an act entitled 'An act in relation to the raising of funds for the relief of the poor of the town of Plattsburgh, in the county of Clinton, passed May 30, 1879,'" reported in favor of the passage of the same, without amend-

ment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Vacheron, Int. No. 904, entitled "An act to amend chapter 359 of the Laws of 1872, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Hempstead, in the county of Queens,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Wray, Int. No. 969, entitled "An act in relation to the police force in Richmond county," reported in favor of the passage of the following substitute therefor:

AN ACT in relation to the police force in Richmond county.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, as amended by chapter ninety-six of the laws of eighteen hundred and eighty-three and chapter three hundred and thirty-five of the laws of eighteen hundred and ninety-three, is hereby amended as follows:

§ 2. Section two of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, as amended by chapter three hundred and thirty-five of the laws of eighteen hundred and ninety-three, is hereby repealed, and the following section is enacted in its stead:

§ 2. The management and control of said department shall be vested in a single commissioner, to be known as the police commissioner of Richmond county, and he shall possess all the powers and discharge all the duties heretofore vested in and imposed upon the board of commissioners of police for the county of Richmond, and he shall be deemed a county officer. Such commissioner shall be chosen as hereinafter provided, and shall hold office for three years, beginning with the first day of January next succeeding his election, except as herein otherwise directed, and except when chosen to fill a vacancy, but he shall continue in office until his successor shall have been chosen and shall have qualified. At the time of his selection and at all times thereafter during his retention of such office, such commis-

sioner, in order to take or hold such office, shall be a resident of said county, a legal voter therein, a freeholder in his own name and right of real property located therein, and he shall hold no other office under the national government or any other state, county, town or municipal office, except that of notary public. Such commissioner shall be chosen at the following times and in the following manner: He shall be elected in the same manner as other county officers, at the general election to be held in said county in the years eighteen hundred and ninety-four and eighteen hundred and ninety-six and in every third year thereafter, and shall take office on the first day of January next succeeding his election; he shall be voted for upon a separate ballot, which shall, in no event, contain any name other than that of a candidate for such police commissionership, separate ballot-boxes, for the reception of such ballots only, shall be used, and no ballot shall be counted upon which more than one name for police commissioner shall appear; the board of supervisors shall, by a certificate in writing, signed by a majority of said board, forthwith upon the completion of the canvass of the returns of said election, designate as elected to be such police commissioner that person who has received the highest number of votes therefor, but in case two or more of such candidates have received the same number of votes, the board of supervisors shall, forthwith, determine, by lot, which of them shall be held and declared to have been elected, and shall so state the result in their certificate of election; such certificate of election shall be filed in the office of the county clerk, and entitle the person therein designated to claim and enter upon the office of police commissioner, if otherwise qualified. In case of a vacancy in said police commissionership, caused by death, resignation or removal from the county or from the office, or by legally declared inability to serve during his term of office, or by the holding at the time of his selection, or thereafter or by the acceptance thereafter, of any office under the national government, or of any other state, county, town or municipal office, except that of notary public, the said vacancy shall be promptly filled by the board of supervisors of said county at a meeting called for that purpose, and by a majority of all the members of said board, and the person so appointed shall hold office only until the first day of January succeeding the general election next held after the occurrence of such vacancy and at such general election, a successor to said police commissioners shall be elected for the remainder of the unexpired term, but, in any event, the appointment shall be of some duly qualified citizen of said county. Such appointment shall be made, in writing, signed by the members of the board of supervisors making the

appointment, and filed in the office of the county clerk, and shall entitle the person therein designated to claim and enter upon the office of police commissioner, if otherwise qualified. Before entering upon the duties of his office, every such police commissioner shall take and subscribe, and file in the office of the county clerk the oath of office prescribed by the constitution of this state, and shall execute and file in said office a bond, with two sureties in the penalty of twenty thousand dollars to the people of the state of New York, conditioned for the faithful performance of his duties as such commissioner. Said bond shall be approved by a justice of the supreme court as to form and sufficiency, on due notice to the district attorney of the county. The term of office of the commissioner elected in the year eighteen hundred and ninety-four, and of any commissioner elected to fill any vacancy in such term, shall expire with the thirty-first day of December in the year eighteen hundred and ninety-six, but he may continue to exercise the duties of his office thereafter until his duly selected successor has qualified. No person elected to said office shall be eligible for election to the said office for the next succeeding term. The said police commissioner shall receive a salary at the rate of one thousand dollars per year, and he, and also the captain of said police force, may be removed for misconduct in office, at any time, by a special term of the supreme court, in the second department, upon written charges of misconduct and adequate proof thereof produced by any taxpayer of the county of Richmond, and due opportunity afforded to be heard thereon. The practice and costs upon a proceeding to remove such commissioner, or police captain, shall, so far as practicable, be regulated by the provisions of the code of civil procedure, applicable to special proceedings.

§ 3. Section three of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, as amended by chapter three hundred and thirty-five of the laws of eighteen hundred and ninety-three, is hereby amended so as to read as follows:

§ 3. Said [board of] commissioner [s are] is authorized and empowered to appoint policemen to do police service in said county of Richmond, but he shall not increase the present force to exceed, including officers, [seventy-five] fifty in number; unless he shall be authorized by a resolution of said board of supervisors or required by resolution of the board of trustees of any village in said county as hereinafter provided, to appoint a greater number in said county or village, in either of which cases [they are] he is authorized and empowered to appoint such additional number or any part thereof, provided that, from this time until such number

shall reach [seventy-five] fifty he shall appoint not more than five in any one year.

§ 4. Section four of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, is hereby amended so as to read as follows:

§ 4. The [board of] commissioner [s] shall have the power to organize said police force in such manner and appoint such officers as he may deem for the best interest of said county, and the salary and compensation to be paid to the members of said police force and its officers shall be determined by said [board of] commissioner [s]; and shall in no case exceed the salary which was established by law for like officers and services in the metropolitan police department, and such salaries and compensation shall be paid monthly by the county treasurer [of said board of commissioners] out of the monies to be raised, as hereinafter provided, for the maintenance and support of said [board of] police force.

§ 5. Section five of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, is hereby repealed.

§ 6. Section six of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, is hereby amended so as to read as follows:

§ 6. The said [board of] commissioner [s and said commissioners of police] and the officers and men employed by him under this act, shall, so far as the same can be made applicable, have the same power, and shall perform the duties and be subject to the same obligations that were by law imposed, conferred and devolved upon the commissioners of the metropolitan police and the force which was by them employed by the laws existing on the first day of April, eighteen hundred and seventy, and also as are imposed, conferred and devolved on the commissioners of police of the city and county of New York, and the department of police created by chapter one hundred and thirty-seven of the laws of eighteen hundred and seventy, and all the provisions of said chapter one hundred and thirty-seven, and of all laws existing on the first day of April, eighteen hundred and seventy, relating to the police of the metropolitan police district, in so far as they can be made applicable thereto, are hereby made applicable to the police department hereby created, and, the [board of commissioners] commissioner and force constituting and employed in said department, and this act shall be read and construed as if it contained and embraced as part of its provisions all the provisions of said chapter one hundred and thirty-seven, and said laws, except as are herein qualified, or are inconsistent or in conflict with this act, and except that the disquali-

fications and prohibitions mentioned in section six of the laws of eighteen hundred and sixty, shall not be applicable to the commissioner to be appointed under this act.

§ 7. Section seven of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy is hereby amended so as to read as follows:

§ 7. The said [board] commissioner shall have power to make [pass] such rules and regulations and orders for the government of the police force as [they] he may deem proper, and [they] he shall promulgate all regulations and orders to the force, through a captain of police, to be appointed by [them] him, who shall have the direction and control of said force, subject to the rules, regulations and orders of said [board] commissioner.

§ 8. Section eight of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, is hereby amended so as to read as follows:

§ 8. The officers and the members of the police force appointed and employed under this act shall be governed by the same rules and regulations which on the first day of April, eighteen hundred and seventy, were in force in the metropolitan police district, until the same may be reversed, modified or abrogated by said [board] commissioner, and all officers and policemen appointed and employed under this act shall hold office for the same terms, and by the same tenure, and have the same powers, rights and duties, and be subject to the same liabilities as officers and policemen of said metropolitan police district so far as applicable.

§ 9. Section nine of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy is hereby amended so as to read as follows:

§ 9. The board of supervisors of Richmond county is hereby empowered and directed, annually, to cause to be raised and collected by tax upon the estates, real and personal, subject to taxation according to law, within said county, the sums of money that shall be required to pay the said police force, and the annual expenses that may be incurred in the support and maintenance of said police department, the said money to be levied and collected from the several towns and other territorial localities in said county, as hereinafter directed; and the said board of supervisors shall, out of the moneys already levied by it in said county for the payment of the [metropolitan] said police force, pay to said [board of] commissioner [s] the cost and expenses for the current year of maintaining said police force and said department, and thereafter the said money directed to be levied and collected as aforesaid shall be levied and collected by said board of supervisors in the manner and proportions following,

viz.: The money required to pay the part of said police force employed in any village in said county shall be levied and collected upon the estates, real and personal, subject to taxation within said village, at the same time and in the same manner that other town and county charges with which said village is chargeable are or may hereafter be levied and collected, and the compensation of said commissioner and of all the employes of said [board] department other than said police force, together with all the expenses of said [board of] commissioner [s] and of carrying on and maintaining said police force and department, shall be levied and collected annually upon the estates, real and personal, subject to taxation in said county, at the same time and in the same manner that town or county charges chargeable to said part of said town are now or may hereafter be levied and collected.

§ 10. Section ten of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy is hereby amended so as to read as follows:

§ 10. The money herein provided to be paid shall be paid on demand to the treasurer of said county, and the same, together with the other moneys which shall be levied and collected under this act, shall be paid by such county treasurer on the written requisition of said [board of] commissioner [s], signed by [the president and treasurer of said board] him, and attested by the chief clerk of the police department.

§ 11. Section eleven of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy is hereby amended so as to read as follows:

§ 11. The said [board of] commissioner [s] shall [fix and determine] estimate the amount of money necessary to be raised annually as aforesaid, and shall, on or before the [first day of December] fifteenth day of October in each year state such amount in [their] his certificate in writing to be delivered to the board of supervisors, and the sum therein stated, or so much thereof as said board of supervisors shall determine, shall be levied and collected and paid over as hereinbefore provided.

§ 12. Section twelve of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, as amended by chapter three hundred and thirty-five of the laws of eighteen hundred and ninety-three, is hereby repealed, and the following section enacted in its stead:

§ 12. The said commissioner is hereby authorized and empowered, in case the trustees of any of said villages shall make a written request therefor, to appoint and designate for duty in said village, for such time as may in said request be stated, such additional number of policemen as may, in said request, be

named beyond the number that shall already be employed in said village, and said policemen shall be in addition to the number of policemen which said commissioner is hereinbefore authorized to appoint, and the salary and compensation of said additional policemen shall be borne and paid by said village, and the amount thereof shall be levied and collected and paid by said village in the same manner that the other expenses are therein directed to be levied and collected and paid by said village, and said commissioner shall discontinue the employment of said additional policemen, and they shall cease to be members of said police force, whenever the board of trustees of said village shall, by resolution, declare that said village no longer requires the service of said men.

§ 13. Section thirteen of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, is hereby amended so as to read as follows:

§ 13. Prior to the assignment of any part of said police force for duty in any of said villages, the trustees thereof shall determine the number of policemen that will be required for service in said village, and shall deliver to said commissioner a certified copy of the resolutions fixing said number, and said village shall at no time be liable or required to pay for any or any more policemen than they have by such resolution demanded and required for service in said village, and said trustees may, from time to time, change, by resolution duly adopted, the number of policemen they may require.

§ 14. Section fourteen of said chapter four hundred and ninety-seven of the laws of eighteen hundred and seventy, as amended by chapter ninety-six of the laws of eighteen hundred and eighty-three is hereby amended so as to read as follows:

§ 14. A person not acting by authority of the said [board of] commissioner [s] of police for Richmond county, who shall intentionally and fraudulently personate a member of said Richmond county police force, or who shall intentionally and fraudulently wear any of the emblems, badges, shields or other insignia of the kind or in simulation of those worn by the members of said police force, or who shall in said county intentionally and fraudulently wear, exhibit or have any badge or shield upon which shall appear the words "Richmond county police, or "Metropolitan police," or utter words indicating or likely to convey the impression that such person is a member of said Richmond county police force, is guilty of a misdemeanor.

§ 15. Section fifteen of said chapter four hundred and ninety-seven, of the laws of eighteen hundred and seventy, as amended by chapter three hundred and thirty-five of the laws of eighteen

hundred and ninety-three is hereby amended so as to read as follows:

§ 15. The [board of] commissioner of police aforesaid is hereby authorized and directed to continue the police pension fund heretofore created for the benefit of the members of said force, of which fund the commissioner [s] of police shall be the trustee [s]; and the county treasurer [of said board] shall, from time to time, as the same shall come to his hands, deposit the moneys of said fund in one of the trust companies in the city of New York, as a special deposit to the credit of the police pension fund for Richmond county, to be drawn only on the order of [a majority of said board] said commissioner, but said commissioner [s] may, at any time, draw upon said fund for investment, and [they] shall, from time to time, invest said fund as [they] shall, deem most expedient, and [they] shall have full power to enforce all contracts in regard to the same, in the name of the board of commissioners of police of Richmond county, as trustees of the police pension fund. He [they] shall establish rules and regulations in regard to the administration of said fund, and shall annually, in the month of January of each year, report to the board of supervisors the condition thereof; and the said fund shall be deemed to be held by [them] him in such manner that [their] his liabilities regarding the safe keeping, accounting for and payment over of the same shall be the same as for funds of the county in [their] his hands; and no gratuity or compensation shall be paid to or retained by any person or persons for salary for services rendered to or for or by said commissioner of police in relation to said fund. Said fund shall consist of all fines imposed upon members of the force by the [board of] commissioner and also shall consist of twenty per centum of the amount of money realized in the county of Richmond from the granting of licenses by the board of commissioners of excise in and for the county of Richmond, which shall be paid by the treasurer of the board of commissioners of excise in and for the county of Richmond on the first day of each month after the receipt thereof; and also all fines for the violation of the law in relation to excise imposed and collected after January first, eighteen hundred and ninety-three, to be paid by the person collecting the same to the county [of the board] treasurer, and all rewards, gifts, testimonials and emoluments presented, paid, or given to any member of the force on account of services except such parts thereof as shall have been allowed to be retained by a member, all lost or stolen money remaining in the hands of the chief clerk for one year, and for which there shall be no lawful claimant; all moneys arising from the sale by the

said clerk of unclaimed property; and a sum of money not exceeding three dollars per month for each member of the force, to be retained by the [treasurer of the board of] commissioner [s] of police from any moneys which may be deducted from the pay of members of said force for lost time, whether such time be lost by reason of sickness, leave of absence or otherwise; but this clause shall not be deemed to require the said commissioner to make any deduction from the pay of any member of the force on account of lost time by reason of sickness. The said commissioner of police shall have power to retire and discharge from future service on said force any member thereof, who may, by reason of age, or other disability, and without fault or misconduct on his part, become disabled from performing active service; and upon such retirement of a captain to pay to the captain of the said force, one thousand dollars, and to any other retired officer from said fund a pension which shall be such sum as the said commissioner [s] of police shall fix and determine, not exceeding one-half of his pay at the time of such retirement, for and during his natural life, and in like manner to pay to the widow while she remains a widow of such deceased officer a like pension, but this act shall not be deemed to give the right to any member of said force to require the payment of such pension in case of retirement, except in cases where the officer was disabled in actual discharge of duty, or when he shall have served over twenty years on the force, under and by virtue of this act; in which case said payments shall not be discontinued or refused, except in absence of a sufficient fund to make the same.

§ 16. So much of this act as shall be necessary to fully authorize and direct the election and qualification of the police commissioner herein provided, for, at the time and in the manner herein provided, shall take effect immediately, and on the first day of January, in the year eighteen hundred and ninety-five, all the remainder of this act shall take effect.

U. S. MESSITER.

Chairman.

Which report was agreed to, and said substitute ordered printed, placed on the order of second reading and recommitted to the committee on internal affairs for a hearing April third, retaining its place on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Fairbrother, Int. No. 691, entitled "An act to authorize the rebuilding of a bridge over Newtown creek at Maspeth avenue by the counties of Kings and

Queens, and providing the means therefor," reported in favor of the passage of the same, with the following amendments:

Section 2, line 2, after the word "and" insert the words "in case the said boards of supervisors shall agree to build the said bridge as here provided."

Section 3, line 11, after the word "bridge" insert the words "if authorized."

Same section, line 13, strike out all after the word "law" down to and including the word "bridge" in line 14.

U. S. MESSITER,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. J. H. Clark, Int. No. 1073, entitled "An act to incorporate the Niagara, Lockport and Ontario Power Company," reported in favor of the passage of the same, with the following amendments:

Section 19, line 21, strike out the words "and may be punished."

Same section, strike out line 22.

Same section, line 23, strike out the words "the discretion of the court."

U. S. MESSITER,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Schulz, Int. No. 1215, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the department of fire," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Grady, Int. No. 1274, entitled "An act to amend chapter 358 of the Laws of 1892, entitled 'An act to authorize the issue of bonds of the city of Rochester to pay for an additional water supply,'" reported in favor of the passage of the same, without amendment, which

report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Whittet, Int. No. 1167, entitled "An act ceding to the city of Buffalo for park purposes a strip of land on the south side of Scajauquady creek, in said city, now a portion of the lands of the Buffalo State Hospital," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Taylor, Int. No. 1217, entitled "An act to amend chapter 356 of the Laws of 1889, entitled 'An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Robertson, Int. No. 991, entitled "An act laying out an additional public park in the Twelfth ward of the city of New York, and authorizing the taking of land for the same," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wray, Int. No. 1138, entitled "An act to provide for the payment of all excise moneys and fines for the breach of the laws in relation thereto in the city of Brooklyn into the revenue fund of said city, and to repeal all acts and parts of acts inconsistent therewith," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wray, Int. No. 1093, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, and acts amendatory thereof and supplemental thereto relating to the board of education in the city of Brooklyn,'" reported in favor of

the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Grady, Int. No. 1276, entitled "An act to amend chapter 193 of the Laws of 1888, entitled 'An act to authorize the selection, location and acquiring of certain grounds for public parks in and near the city of Rochester,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Grady, Int. No. 1275, entitled "An act to amend chapter 347 of the Laws of 1890, entitled 'An act to provide for the payment of the costs and expenses of the construction of a trunk sewer on the east side of Genesée river in the city of Rochester, by the issue of bonds of said city, and providing for the payment of said bonds by local assessments,' and the several acts amendatory thereof and supplementary thereto," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Schoepflin, Int. No. 1155, entitled "An act to amend chapter 303 of the Laws of 1893, entitled 'An act to authorize and direct the city of Buffalo to remove and reinter the human remains buried in the old Indian burying grounds located in the fifth ward of said city,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Robertson, Int. No. 1082, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relative to the opening of streets and avenues in the Twenty-third and Twenty-fourth wards, and the department of public works of the city of New York,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was

referred the bill introduced by Mr. Thornton, Int. No. 1266, entitled "An act to amend chapter 49 of the Laws of 1893, entitled 'An act to provide for the construction of a receiver in the city of Newburgh,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hoefler, Int. No. 877, entitled "An act to confer on the common council of the city of Utica and the town board of the town of Deerfield, in the county of Oneida, the authority to purchase the Deerfield Macadam road," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Roche, Int. No. 1234, entitled "An act to provide for the construction and improvement of Corlears Hook park in the city of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brennan, Int. No. 1122, entitled "An act to amend chapter 600 of the Laws of 1893, entitled 'An act to reduce, confirm and levy certain assessments in the city of Albany to provide for the payment thereof and in relation to certain sales thereunder,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Reilly, Int. No. 1235, entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine the claim of George W. Sauer, and to make appropriation for the same or any part thereof which shall be justly due," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Davidson, Int. No. 1104, entitled "An act to amend sections 3, 8, 11, 12 and 13 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45

704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city,'” reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cantor, Rec. No. 206, entitled “An act to amend chapter 696 of the Laws of 1887, entitled ‘An act to provide hospital, orphan asylums and other charitable institutions in the city of New York, with water and remitting assessments therefor,’” reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cantor, Rec. No. 205, entitled “An act to lay out and establish a public park in the Twelfth ward of the city of New York to be known as St. Nicholas park and for the improvment thereof,” reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cantor, Rec. No. 204, entitled “An act for the relief of Henry Brown,” reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Owens, Rec. No. 193, entitled “An act to regulate the compensation of laborers employed by the city of Brooklyn under contract or otherwise, except skilled laborers,” reported in favor of the passage of the the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Guy, Rec. No. 186, entitled “An act providing for the removal of incumbrances and

obstructions upon the streets and sidewalks, public grounds in the Twenty-third and Twenty-fourth wards in the city of New York," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Herrman, Int. No. 1012, entitled "An act to amend section 1 of chapter 275 of the Laws of 1892, entitled 'An act to create a department of buildings in the city of New York, and to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, in so far as the same relates to the fire and building departments of said city, and by adding a new section thereto creating a bureau to be known as the bureau of fire alarm telegraph and electrical appliances,' in relation to the salary to be paid the superintendent of buildings," reported in favor of the passage the same, with the following amendment, (Messrs. Fish and Sheffield dissenting):

Page 2, line 22, after the word "shall" insert the words "in the discretion of the board of estimate and apportionment."

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Marrin, Int. No. 1226, entitled "An act to provide for the construction of a bridge over the Mott Haven canal at One Hundred and Thirty-eighth street in the city of New York," reported in favor of the passage of the same, with the following amendment:

Page 3, line 12, after the word "comptroller" insert the words "but nothing in this act shall be construed to affect the right of the said commissioner of street improvements to establish a public street upon and along the line of said canal from East One Hundred and Thirty-eighth street to East One Hundred and Forty-fourth street in said city, of a width not less than sixty feet, and his authority to do so, in lieu of constructing said bridge, is hereby established and determined should he deem this course best for the public interest."

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and recommitted to the committee on affairs of cities.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mittnacht, Int. No. 360, entitled "An act to amend chapter 523 of the Laws of 1890, chapter 315 of the Laws of 1891, and chapter 418 of the Laws of 1892, being acts in relation to the sheriff of the city and county of New York, and amendments thereto," reported in favor of the passage of the same with the following amendments (Messrs. Fish, Burtis and Sheffield dissenting):

Page 2, line 9, between the words "all" and "services" insert the word "other."

Same page, line 19, after the word "sheriff" insert the words "to the number of twelve, and such additional ones, not exceeding three, provided in the judgment and discretion of the board of estimate and apportionment they are necessary."

Same page, line 20, strike out the words "not exceeding eighteen."

Same page, line 15, after the word "one" insert the words "and in section 3387 of the Code of Civil Procedure."

Same page, line 20, omit the words "not exceeding eighteen."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, placed on the order of second reading and recommitted to the committee on affairs of cities.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Friday, Int. No. 957, entitled "An act to provide for the annexation to the city of Brooklyn of the town of Gravesend, in Kings county," reported in favor of the passage of the following substitute therefor:

AN ACT to provide for the annexation to the city of Brooklyn to of the town of New Utrecht.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All that territory now comprised within the limits of the town of New Utrecht, in the county of Kings, with the inhabitants and estates therein, is hereby annexed to, merged in and made a part of the city of Brooklyn, in said county, and shall hereafter constitute a part of the said city of Brooklyn, and shall be known as the thirtieth ward of said city, and, except as in this act otherwise specially provided, shall hereafter be subject to and

governed by the same laws, ordinances, rules and regulations, and entitled to the same rights, privileges, franchises and immunities as the said city of Brooklyn, as constituted at the time this act takes effect. After this act takes effect the mayor and common council of the city of Brooklyn and all officers elected or appointed under the charter of the city of Brooklyn or under any law of this state authorizing the election or appointment of officers for the city of Brooklyn shall, except as herein otherwise provided, exercise the same powers and perform the same duties over and in the territory hereby annexed in the like manner and to the same extent as if such territory had always been a part of the city of Brooklyn, except as the same may be specially limited or extended by this act.

§ 2. The territory hereby annexed shall form a part of the first aldermanic district of the city of Brooklyn and a part of the second judicial district of said city, as established by law, and the justices of the peace and the police justices of said city shall have and exercise the same power and jurisdiction over said territory and the inhabitants thereof as they would have had and could have exercised had the said territory been a part of the said city since January, eighteen hundred and eighty-eight, and been a part of said judicial district. The jurisdiction and power of the city court of Brooklyn shall extend over the territory hereby annexed to said city so as to be in all respects as in other parts of said city.

§ 3. All public property in said town used for public educational purposes and vested in said town, or in any public body, board, district, trustee or trustees, officer or officers, pertaining to the educational department or school system thereof, shall become the property of, and is hereby vested in the board of education of the city of Brooklyn. All moneys collected from taxes levied, or to be levied, for educational purposes in said town and all moneys or funds due or to become due to said town or any school district thereof or which said town or school district is or shall become entitled to receive for educational purposes, shall be paid over to the treasurer of the said city for the use of said board of education, and shall be controlled, applied and disbursed by said board as is now by law provided. All other public property of said town is hereby vested in and declared to be the property of the city of Brooklyn, and except as otherwise provided in this act, the said city shall succeed to all rights, claims, causes of action, right to uncollected taxes, uses, trusts, duties, privileges and immunities of said town of New Utrecht. All moneys belonging to said town or in the hands of any officer or board for the purposes of said town or any improvement therein, shall immediately on the taking effect of this act be paid

over to the treasurer of the city of Brooklyn to be held, used and expended for the purposes for which it was raised.

§ 4. The city of Brooklyn shall not be or become personally liable to pay any debt of the town of New Utrecht or any part or body thereof, contracted or incurred prior to the time this act shall take effect; nor shall any property within the limits of said city, as constituted prior to the passage of this act, be taxed to pay any such debt, liability or obligation. But the property in such town or school district, as now constituted, as the case may be, shall remain liable for the said debts, liabilities and obligations and the moneys to meet the same, principal and interest; as they may accrue shall be raised by taxation upon the property of said town or school district, now liable for said principal and interest and the taxes raised therefor, when collected by the city of Brooklyn, shall be paid over to the treasurer of the county of Kings, or other officer or person charged with the payment of said indebtedness as now provided by law; and any moneys received by said city from taxes and assessments levied before this act shall take effect applicable to the payment of such indebtedness, shall likewise be paid over to the officer or person charged with the duty of paying the same. No part of the debt of the city of Brooklyn incurred before this act shall take effect shall be charged upon the territory hereby annexed nor shall any property within said territory be taxed to pay such debt, except that property taxable in the said territory shall be charged with, and shall pay its proportionate amount of the debt of said city, and the interest thereon incurred for the construction and maintenance of the New York and Brooklyn bridge.

§ 5. This act shall not affect or interfere with the collection of any general or other tax, or assessment now levied or that may be levied in said town before this act shall take effect. The collector of taxes of said town shall proceed with the collection and enforcement of all taxes and assessments, for the collection of which warrants shall have been or shall be issued and delivered to him before this act shall take effect, and shall return the amounts thereof unpaid in the same manner as though this act had not been passed and all officers, whether of said town or otherwise heretofore or hereafter charged with any duty in reference to such tax or assessment, or the collection thereof, by sale or otherwise, shall proceed in the collection of such tax and assessment and sale thereof in the same manner and with like effect as though this act had not been passed. All officers, boards and bodies now charged by law with any duty in fixing and correcting valuations for the purpose of taxation, or in fixing or determining the amounts to be raised by taxation or in levying any tax in the said town, shall proceed with their

respective duties so that the taxes upon the property and inhabitants of said town for the year eighteen hundred and ninety-four, shall be finally apportioned and levied in the same manner as though this act had not been passed, but the warrant for the collection of said tax and all warrants issued after this act shall take effect shall be issued to the collector of taxes and assessments of the city of Brooklyn. And the said taxes shall be collected and enforced with rebate, interest, defaults and other proceedings in the same manner and by the same officers as the taxes of other wards of said city.

§ 6. The supervisor of the town of New Utrecht and the several justices of the peace of the said town duly elected, qualified and acting at the time this act shall take effect shall continue to hold their offices for the terms for which they were respectively elected. All suits, actions, proceedings, complaints, prosecutions and special proceedings which shall be pending in the territory hereby annexed before any court or justice of the peace, shall be heard and determined as though this act had not been passed; and the said justices of the peace shall continue to exercise within said territory the functions of their respective offices until the terms thereof shall respectively expire or otherwise sooner be determined in the same manner as though this act had not been passed, and the powers and jurisdiction of said justices within said territory, and their fees and emoluments and methods of procedure shall be as though this act had not been passed. But nothing in this section contained shall authorize any service of process issued by a justice of the peace of the said town or give any justice of the peace of said town, or constable thereof, jurisdiction outside of the territory to which his jurisdiction was limited before the passage of this act, or interfere with the jurisdiction of the justices of the peace and police justices or other judicial officers of the city of Brooklyn over the territory hereby annexed. The terms of offices of all other officers and boards, commissions and commissioners of said town (except the constable), and of every department and district thereof, shall cease and determine at the time this act shall take effect, except only when and in such cases as it shall become necessary that such officers shall be continued for the purpose of carrying out the provisions of this act, and in such cases such officers are continued in office for the purpose aforesaid and for no other purpose. The terms of office of the constables of said town shall cease and determine on the thirty-first day of December, eighteen hundred and ninety-four. At each general election hereafter held in such ward there shall be elected one constable, whose term shall commence on the first day of January succeeding his election and continue for one year. Two additional assessors of the city of Brooklyn shall be appointed

by the mayor thereof so that there shall hereafter be at least fourteen assessors in said city. The terms of office of such additional assessors shall commence on the first day of January, eighteen hundred and ninety-five, and they shall have the same powers and duties, and receive the same compensation as the other assessors of said city. One such additional assessor for the first term shall be a resident of the territory hereby annexed. But no more assessors shall be appointed under this or any other act passed by this present legislature than are necessary to make the board of assessors of said city consist of an even number over and above the number twelve.

§ 7. After the passage of this act, the board of estimate of the county of Kings and city of Brooklyn shall, from time to time, meet and estimate, fix and determine what sums of money, if any, the territory hereby annexed ought to be charged with and pay for the period intervening between the time this act takes effect and the first day of January, eighteen hundred and ninety-five, on account of all expenses of the city of Brooklyn, rendered necessary through the annexation of said territory to the city of Brooklyn, and in consequence of any duties, rights and privileges of the city of Brooklyn, or of its departments or officers, on account of the provisions of this act. And in case the sum or sums so fixed is greater than the amount raised by taxation upon the property taxable in said territory for the period aforesaid, which can be made applicable to such expenses, the deficiency shall be included in the next annual tax levy in said territory on the property taxable, and for any amount necessary to meet such deficiency for the time being, the comptroller of said city may issue the certificates of indebtedness of the said city of Brooklyn, payable in the month of January, eighteen hundred and ninety-five, or January, eighteen hundred and ninety-six, as such comptroller may decide, out of the taxes levied in the said territory to meet such deficiency, or the same may, for the time being, be taken from the revenue fund of said city.

§ 8. Immediately after this act shall take effect, the board of elections of the city of Brooklyn shall proceed and divide the territory hereby annexed into convenient election districts for the holding of general and special elections in the manner provided for dividing said city into election districts, and the districts so fixed shall be the districts for the purposes aforesaid until said city is again divided into election districts as by law provided.

§ 9. The aggregate assessed valuation of the real estate in said town, exclusive of the additional value caused by the erection of new buildings or other structures, shall not, during the five years commencing with the year eighteen hundred and ninety-four and ending with the year eighteen hundred and ninety-eight,

be increased in any one year more than twenty per cent over and above such valuation for the year immediately preceding; and such valuation shall be deemed the "full and fair market value" of such property for the purpose of taxation.

§ 10. The streets, avenues, roads and highways of said town, as the same were on the first day of February, eighteen hundred and ninety-four, whether fixed by a map made and filed as provided by law or by other competent authority, and whether opened or unopened, shall be held and taken to be a part of the commissioners' map of the city of Brooklyn, made and filed under and in pursuance of chapter one hundred and thirty-two of the laws of eighteen hundred and thirty-five, and the public streets, avenues, roads and highways of the town of New Utrecht, as so fixed and located, shall become and be deemed to be the streets and avenues of the city of Brooklyn, with the same effect as if they had been originally laid down on said commissioners' map, but no street nor avenue not now actually opened shall be constructed through any territory now or hereafter located or selected for a public park.

§ 11. All the present members of every fire engine, hook and ladder company in the town of New Utrecht, regularly enrolled in the fire department of said town, and who shall have performed the full or any term of service therein, and serving as such until the thirty-first day of December, eighteen hundred and ninety-four, shall be entitled to all the exemptions to which exempt firemen are entitled by the laws of this state, the same as though this act had not been passed, and a majority of the trustees of any such company may certify to such membership and service for exemption. The jurisdiction of the department of fire of the city of Brooklyn, so far as any duties are imposed upon it in consequence of the provisions of this act shall not be extended over the said territory hereby annexed until the first day of January, eighteen hundred and ninety-five, but it shall be lawful to retain in said territory for one year after said date any organization, voluntary or otherwise, for the purpose of extinguishing fire.

§ 12. All books, papers and documents of said town, or of any district thereof, on file in any office or with any officer thereof, shall be transferred to and filed with the appropriate officers or department of the city of Brooklyn. And it shall be the duty of all persons having charge of such books, papers and documents to deliver the same forthwith to and file the same with the appropriate officer or departments, as in this section provided. And it shall be the duty of the mayor and comptroller of the city of Brooklyn, as soon as may be after this act takes effect, to cause

the examination of the accounts of all persons and boards, having charge of any moneys of said town, to be made, and to report to the common council of said city the result of such examination.

§ 13. The public school teachers in the public schools of the district hereby annexed at the time of the taking effect of this act, holding certificates of qualifications, granted in accordance with the laws of the state of New York, shall not be subject to further examination while said certificates are in full force, unless a teacher desires an examination for the purpose of obtaining a certificate of a higher grade.

§ 14. The territory hereby annexed shall constitute a police precinct of the city of Brooklyn, and the commissioner of the department of police of said city may appoint not to exceed twenty-four additional patrolmen and officers for said territory. The men and officers now upon the police force of said town, shall if found competent, have preference in appointment as patrolmen upon such force. They shall not be obliged to pass a civil service examination, but the commissioner of said department may examine them with reference to their competency, and in his discretion as he finds them competent, may appoint them upon the police force of said city, and they shall be graded and paid as other patrolmen in said department.

§ 15. In case there is any function, office or duty heretofore devolved on any officer of said town, in the laying of assessments or taxes for the collection thereof, doing or completing any public work or acquiring land therefor, or otherwise so devolved, which under the provisions of this act, after the function, office or duty of such officers of the town shall have ceased, as herein provided, is now devolved on any officer or department of the city of Brooklyn, and which is a function or duty for the performance of which provision is not made by the charter of the city of Brooklyn, the mayor shall, by writing transmitted to the common council designate the officer or department of said city, who shall perform such function, office or duty to the extent of completing that which is necessary or required at the time this act takes effect.

§ 16. Nothing herein contained shall affect any of the provisions of chapter four hundred and sixty-one of the laws of eighteen hundred and ninety-two, but the same shall continue to apply to the territory hereby annexed as if this act had not been passed.

§ 17. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 18. This act shall be held and be construed to be a public act and shall take effect on the first day of July, eighteen hundred and ninety-four.

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to the committee on affairs of cities.

The Senate returned the bill (No. 847) entitled "An act to incorporate the Provident Loan Society of New York" (Int. No. 782), with a message that they have concurred in the passage of the same with the following amendment:

Section 3, lines 1 and 2, strike out the words "for three years."

Said bill was referred to the committee on the judiciary.

Mr. Horton, from the committee on privileges and elections, presented the evidence in the contested election case of Amos J. Ablett, claiming the seat now occupied by Curtis N. Douglas, representing the Fourth Assembly district of the county of Albany; which was laid upon the table and ordered printed.

(See Document.)

The Senate returned the bill (No. 43) entitled "An act to amend the Code of Civil Procedure, relating to practicing attorneys in New York, Kings and Queens counties" (Int. No. 227), with a message that they have concurred in the passage of the same, with the following amendment:

Section 1, line 10, strike out the words "he or she has been."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Porter	Stein
Babcock	Douglas	Howe	Prescott	Stewart
Baker	Dowling	Keck	Rider, J.J.	Stone
Berry	Eldredge	Keenan	Robbins	Sulzer
Braun	Fairbrother	Kelsey	Robertson	Taylor
Brennan	Friday	Kerr	Robinson	Terry, C.W.
Brownell	Fuller	Kern	Robson	Terry, J.F.
Burtis	Gardiner	Lawson	Roche	Thompson
Butts	Gerst	Lee	Scanlon	Thornton
Carroll	Gleason	Lounsbury	Schillinger	Tilton
Chambers	Glenn	Marrin	Schoepflin	Tobin
Chapman	Gould	Matthews	Schulz, F.F.	Trainor
Clark, F.E.	Gray	Melody	Schulz, H	Tuttle
Clark, J. H.	Herrman	Messiter	Seibert	Van Amber
Corrigan	Higbie	Myers	Sheffield	Vehslage

Coughlin	Hobbie	O'Donnell	Smith, M.F.	Wells
Cutler	Hoeffler	O'Grady	Snyder	Whittet
Davidson	Horton	Parkhurst	Southworth	Wilcox
Dean	Hotaling	Plant	Stadtfeld	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate sent for concurrence a resolution in the words following:

Whereas, Notification has been received from the Chancellor of the Board of Regents of the State of New York that a vacancy has occurred in said board by the death of Rt. Rev. Francis McNiery, therefore

Resolved (if the Assembly concur), That the Legislature meet in joint session on Thursday, March 29, at 12 o'clock noon, for the purpose of electing a Regent of the University in place of Rt. Rev. Francis McNiery, deceased.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the calendar of the day.

The bill (No. 1240) entitled "An act to provide for the completion and the care of the soldiers and sailors' monument in the city of Brooklyn, and to provide the means therefor" (Int. No. 1102), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1244) entitled "An act to provide for the selection, laying out, construction and maintenance of a public driveway and parkway, and for the acquisition of riparian rights in connection therewith in any county of this State which contains a city the population of which city is in excess of 800,000, and the boundaries of which city are not coterminous with those of said county, and also providing the means of payment thereof, and of maintenance thereof, and creating a department of parks for said county" (Int. No. 1103), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1325) entitled "An act to provide for the payment

of certain claims against the city of Brooklyn" (Int. No. 1169), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 776) entitled "An act to amend chapter 304 of the Laws of 1892, entitled 'An act to provide for the appointment of a board of water commissioners for the city of Albany'" (Int. No. 725), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1231) entitled "An act to amend chapter 153 of the Laws of 1889, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,' in reference to the pension roll of the firemen's insurance fund'" (Int. No. 1091), was read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1259) entitled "An act to authorize the common council of the city of Corning to borrow money and issue the obligation of said city in payment of certain real estate" (Int. No. 1127), was read the second time.

On motion of Mr. M. F. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1083) entitled "An act to amend section 1290 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York, in relation to actions for penalties'" (Int. No. 973), was read the second time.

On motion of Mr. Stein, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1257) entitled "An act to amend section 1 of chapter 89 of the Laws of 1891, entitled 'An act to provide for the erection of museum buildings on park lands in the city of Brooklyn, and to authorize leases thereof to the Brooklyn Institute of Arts and Sciences'" (Int. No. 1125), was read the second time.

On motion of Mr. F. E. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1085) entitled "An act to amend an act entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' passed July 1, 1882, and the acts amendatory thereof" (Int. No. 975), was read the second time.

On motion of Mr. Stein, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1022) entitled "An act to amend 300 of the Laws of 1875, entitled 'An act providing that the bridge in course of construction over the East river, between the cities of New York and Brooklyn, by the New York bridge company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company and the completion and management of said bridge by said cities'" (Int. No. 938), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 976) entitled "An act to regulate fares for passengers on the ferry boats plying on the East river between Broadway in the city of Brooklyn, and Roosevelt street in the city of New York, and operated by the Brooklyn and New York Ferry Company" (Int. No. 887), was read the second time.

On motion of Mr. H. Schulz, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 977) entitled "An act to regulate the number of trips at certain hours of ferry boats plying on the East river, between Broadway in the city of Brooklyn and Roosevelt street in the city of New York, and operated by the Brooklyn and New York Ferry Company" (Int. No. 888), was read the second time.

On motion of Mr. H. Schulz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 555) entitled "An act to amend section 3 of chapter 347 of the Laws of 1878, entitled 'An act to amend chapter 371 of the Laws of 1875, entitled An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs'" (Int. No. 521), was read the second time.

On motion of Mr. Robertson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1177) entitled "An act to amend an act entitled 'The Military Code,' being chapter 17 of the general laws" (Int. No. 1044), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1202) entitled "An act to amend chapter 203 of the Laws of 1881, entitled 'An act to authorize the burial of the body of any honorably discharged soldier, sailor or marine who shall hereafter die without leaving means sufficient to defray funeral expenses, and to provide a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State'" (Int. No. 1071), was read the second time.

On motion of Mr. Stone, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1087) entitled "An act to amend the Military Code by changing the chapter number thereof" (Int. No. 977), was read the second time.

On motion of Mr. Schöepflin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1102) entitled "An act to make further provisions for the erection of an armory in the county of Kings for the 14th Regiment, National Guard State of New York" (Int. No. 1005), was read the second time.

On motion of Mr. F. E. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 887) entitled "An act to amend chapter 488 of the laws of 1892, entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof'" (Int. No. 816), was read the second time.

On motion of Mr. Parkhurst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 133-) entitled "An act to prevent the display of for foreign flags on public buildings" (Int. No. 1188), having been announced for a second reading,

On motion of Mr. Lawson, said bill was amended as follows:

Line 1, after the word "flag" insert the words "or emblem."

Line 2, after the word "county" insert the word "town."

Amend the title by inserting, after the word "flags," the words "or emblems."

Said bill, as amended, was then read the second time.

On motion of Mr. Lawson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1336) entitled "An act authorizing agricultural societies and corporations to lease their grounds" (Int. No. 1181), having been announced for a second reading,

On request of Mr. Schoepflin, said bill was laid aside.

The bill (No. 1316) entitled "An act to amend the agricultural law and the Penal Code, relative to violations of the same" (Int. No. 1160), was read the second time.

On motion of Mr. Wyckoff, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1261) entitled "An act to amend chapter 161 of the Laws of 1889, entitled 'An act in relation to local improvements in the town of Flatbush, and the acquisition of the rights of a plank road company in said town'" (Int. No. 1105), was read the second time.

On motion of Mr. Finnigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 985) entitled "An act in relation to assessments for public improvements in the towns of this State and to provide for reviewing and correcting the same" (Int. No. 897), was read the second time.

On motion of Mr. S. W. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 579) entitled "An act to provide against the offense of hazing in the colleges and other institutions of learning in the State of New York, and for the punishment of crimes resulting therefrom" (Rec. No. 174), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The Senate bill (No. 392) entitled "An act defining the status of certain town cemetery associations" (Rec. No. 175), was read the second time.

On motion of Mr. Hoefler, said bill was placed on the order of third reading.

The Senate bill (No. 163) entitled "An act to amend chapter 680 of the Laws of 1892, entitled 'An act in relation to elections,'

constituting chapter 6 of the general laws" (Rec. No. 154), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following:

Resolved, That fifteen minutes before 12 o'clock on Thursday, March 29, the Assembly proceed to nominate a candidate for Regent of the University to fill the vacancy caused by the death of Francis McNierny.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate bill (No. 582) entitled "An act to amend section 10 of chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference, as amended by chapter 321 of the Laws of 1876'" (Rec. No. 192), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading.

The Senate bill (No. 584) entitled "An act to provide for the payment of the expenses of prosecutions of offenses committed in the year 1893, in Kings county, against the election laws and of offenses incidental to or connected with such first mentioned offenses" (Rec. No. 178), was read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading.

The Senate bill (No. 666) entitled "An act to amend section 5 chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association'" (Rec. No. 191), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading.

The Senate bill (No. 312) entitled "An act to amend chapter 689 of the Laws of 1890, entitled 'An act in relation to banking corporations'" (Rec. No. 51), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 509) entitled "An act to repeal section 186 of article 8 of the game law" (Rec. No. 139), was read the second time.

On motion of Mr. E. L. Ryder, said bill was placed on the order of third reading.

The Senate bill (No. 564) entitled "An act to amend chapter 559 of the Laws of 1893, entitled 'An act in relation to the militia, constituting chapter 17 of the general laws'" (Rec. No. 158), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading.

The bill (No. 1331) entitled "An act to amend the railroad law, in relation to electric light and power corporations becoming railroad corporations" (Int. No. 1176), having been announced for a second reading,

On request of Mr. Hobbie, said bill was laid aside.

The bill (No. 1251) entitled "An act to amend the Code of Civil Procedure, relative to claims against estates of decedents" (Int. No. 1113), was read the second time.

On motion of Mr. Robbins, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 372) entitled "An act to amend the Penal Code, in relation to ice cuttings and ice bridges" (Int. No. 264), was read the second time.

On motion of Mr. Stone, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. F. E. Clark, called from the table the bill No. 392, entitled "An act in relation to the justices' courts in the city of Brooklyn" (Int. No. 386), previously laid aside on order of second reading.

Said bill was then read the second time.

On motion of Mr. F. E. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1011) entitled "An act to amend title 10 of part 6 of the Code of Criminal Procedure, in relation to criminal statistics, and to repeal section 592 of chapter 410 of the Laws of 1882" (Int. No. 927), was read the second time.

On motion of Mr. Burtis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1305) entitled "An act to amend section 1525 of the Code of Civil Procedure" (Int. No. 1146) was read the second time.

On motion of Mr. Thornton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1335) entitled "An act to amend the Penal Code, in relation to furnishing libelous information" (Int. No. 1180) was read the second time.

On motion of Mr. Prescott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1308) entitled "An act to amend section 76 of chapter 410 of the Laws of 1882, relating to the clerk of the board of aldermen" (Int. No. 1151), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 627) entitled "An act to exempt the real property of the Hebrew Technical Institute in the city of New York from water rates" (Rec. No. 251), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading.

The bill (No. 1359) entitled "An act in relation to the exemption from taxation of the real property of 'The Pythian Association' of the city of Amsterdam" (Int. No. 1211), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate sent for concurrence the following entitled bills:

"An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Edmund G. Lane against the State, and to make an award therefor" (No. 697, Rec. No. 228), which was read the first time.

On motion of Mr. J. H. Clark, said bill was substituted for Assembly bill No. 1216, Int. No. 1075, same title and subject.

"An act to confer on the common council of the city of Utica, and the town board of the town of Deerfield, in the county of Oneida, the authority to purchase the Deerfield macadamized road" (No. 559, Rec. No. 237), which was read the first time.

On motion of Mr. Hoefler, said bill was substituted for Assembly bill No. 1035, Int. No. 877, same title and subject, now on the order of second reading.

The Senate bill (No. 697) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Edmund G. Lane against the State and to make an award therefor" (Rec. No. 228), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading.

The bill (No. 1330) entitled "An act to amend chapter 157 of the Laws of 1854, entitled 'An act to incorporate the village of Mohawk'" (Int. No. 1174), was read the second time.

On motion of Mr. Prescott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1201) entitled "An act to amend chapter 507 of the Laws of 1889, entitled 'An act to authorize villages of the State of New York to establish water rates, and to collect the same,' and also to amend chapter 662 of the Laws of 1893" (Int. No. 1070), having been announced for a second reading,

On motion of Mr. Hobbie, said bill was amended as follows:

Page 1, line 2, after the word "eighty-nine" strike out the word "and" and insert the words "as amended by."

Same page, line 4, after the word "ninety-three" change the word "are" to the word "is."

Page 2, line 1, after the word "upon" insert the word "all."

Amend the title by striking out the words "as amended by" on line 5.

On motion of Mr. Hobbie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1329) entitled "An act to supplement the provisions of section 20, title 2 of chapter 583 of the Laws of 1883, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, and acts amendatory thereof, in relation to the board of estimate, by extending the benefits of such acts to certain institutions in the city of Brooklyn'" (Int. No. 1173), having been announced for a second reading,

On request of Mr. Taylor, said bill was laid aside.

The bill (No. 905) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Mary Jane Charlton against the State, and to make an award therefor" (Int. No. 833), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 333) entitled "An act to establish a State Board of Undertakers and to regulate the practice of undertaking" (Rec. No. 176), having been announced for a second reading,

On motion of Mr. Taylor, said bill was recommitted to the committee on public health for a further hearing, retaining its place on the order of second reading.

The Senate bill (No. 610) entitled "An act to amend the public health law, relating to local boards of health" (Rec. No. 196), was read the second time.

On motion of Mr. C. W. Terry, said bill was placed on the order of third reading.

Mr. O'Grady in the chair.

Mr. Wray called from the table the bill (No. 230) entitled "An act to repeal chapter 756 of the Laws of 1871, entitled 'An act to prevent the deposit of carrion, offal or dead animal in the North and East rivers, of the bay of New York, or Raritan bay, within the jurisdiction of the State of New York,' and acts amendatory thereof and supplementary thereto" (Int. No. 232), previously laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Taylor moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 49 }
{ NOES 62 }

Those who voted in the affirmative, were

Berry	Dinkelspiel	Kerr	Myers	Southworth
Braun	Douglas	Kerrigan	Plant	Stadtfeld
Brennan	Dowling	La Fetra	Reilly	Stein
Bush	Finnigan	Lasch	Robertson	Sulzer
Butts	Gleason	Loonan	Robinson	Taylor
Cahill	Harrigan	Marrin	Roche	Tobin
Callahan	Hennessy	McGuire	Ryder, E.L.	Trainor
Carroll	Herrman	McNamee	Schillinger	Vehslage
Chapman	Hoysradt	Melody	Schulz, F.F.	Wieman
Davidson	Keenan	Mitnacht	Schulz, H	

Those who voted in the negative, were

Ainsworth	Gardiner	Kelsey	Robbins	Terry, C W.
Babcock	Gerst	Kern	Robson	Terry, J.F.
Baker	Glenn	Lawson	Scanlon	Thompson
Brownell	Gould	Lee	Schoepflin	Thornton
Burtis	Gray	Matthews	Sheffield	Tuttle
Chambers	Higbie	Messiter	Sherwood	Vacheron
Cutler	Hobbie	Nixon	Smith, M.F.	Van Amber

Dean	Hoefer	O'Grady	Smith, S.W.	Wells
Denniston	Horton	Parkhurst	Snyder	Whittet
Eldredge	Hotaling	Porter	Stevens	Wilcox
Fairbrother	Houghton	Prescott	Stewart	Wray
Fish	Howe	Rider, J.J.	Stone	Wyckoff
Friday	Keck			

Said bill was then read the second time, placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 596) entitled "An act to amend section 3 of chapter 137 of the Laws of 1877, entitled 'An act to incorporate the library and reading-room of the village of Portchester, in Westchester county'" (Rec. No. 189), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

The Senate bill (No. 109) entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof'" (Rec. No. 111), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

Mr. Gerst offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 612, entitled "An act to authorize the village of Tonawanda, New York, to purchase and use one or more automatic ballot cabinets at village elections" (Int. No. 204), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

A message from the Governor, by the hands of his private secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *March 27, 1894.* }

To the Assembly:

Assembly bill No. 691, entitled "An act so amend the Code of Civil Procedure, relative to actions by a taxpayer against a public officer," is herewith returned without approval.

Under the present general law the Attorney-General has ample

power to protect the interests of the State against any adverse actions by its servants. I do not see the necessity, therefore, for this legislation, and it might embarrass the State in the proper transaction of its business.

ROSWELL P. FLOWER.

On motion of Mr. Sheffield, said bill and accompanying message were laid upon the table.

The Senate bill (No. 224) entitled "An act to incorporate the Metropolis Finance Company of New York" (Rec. No. 211), was read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading.

The Senate bill (No. 450) entitled "An act to amend sections 992, 995, 996 and 998 of the Code of Civil Procedure, relating to exceptions and case on appeal" (Rec. No. 120), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

The Senate bill (No. 623) entitled "An act to amend section 1690 of the Code of Civil Procedure" (Rec. No. 181), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 604) entitled "An act to amend section 2420 of the Code of Civil Procedure" (Rec. No. 171), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading.

The Senate bill (No. 186) entitled "An act to amend the railroad law, in relation to improvements in railroad appliances" (Rec. No. 209), having been announced for a second reading,

On request of Mr. Hoefler, said bill was laid aside.

The bill (No. 1365) entitled "An act to revise the charter of the city of Yonkers" (Int. No. 864), having been announced for a second reading,

On motion of Mr. Harrigan, said bill was recommitted to the committee on affairs of cities for a further hearing, retaining its place on the order of second reading.

The bill (No. 1411) entitled "An act to lay out and establish

Fort Washington park in the twelfth ward of the city of New York" (Int. No. 943), was read the second time.

On motion of Mr. Reilly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1417) entitled "An act relating to the Avenue A in the city of New York" (Int. No. 1128), was read the second time.

On motion of Mr. Stadtfeld, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Burtis called from the table the bill (No. 1329) entitled "An act to supplement the provisions of section 20, title 2 of chapter 583 of the Laws of 1883, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and acts amendatory thereof, in relation to the board of estimate, by extending the benefits of such acts to certain institutions in the city of Brooklyn" (Int. No. 1173), previously laid aside on the order of second reading.

Said bill was then read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (No. 1399) entitled "An act for the relief of John C. Ham, formerly of New York city, now residing at New Rochelle, Westchester county, and to authorize the comptroller of the city of New York to inquire into the claim of said John C. Ham, and to issue revenue bonds to pay same, and to authorize the board of estimate and apportionment of said city to make provision to pay said revenue bonds" (Int. No. 483), having been announced for a second reading,

On motion of Mr. Davidson, said bill was amended as follows:

Page 2, line 17, after the word "authorized" insert the words "in his discretion."

Said bill, as amended, was read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (No. 1402) entitled "An act fixing the pay, compensation and salary of the doormen and acting doormen of the park police of the city of New York, and providing for the payment of the same, and for their vacation and benefit under the pension fund" (Int. No. 849), was read the second time.

On motion of Mr. Lawson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1401) entitled "An act to amend title 2 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the appropriation of moneys by the board of estimate for certain purposes" (Int. No. 1137), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1403) entitled "An act to amend title 13 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of fire" (Int. No. 1052), having been announced for a second reading,

On motion of Mr. Taylor, said bill was amended as follows:

Page 2, line 7, between the words "or" and "immoral" insert the word "for."

Same page, line 9, between the words "time" and "or" insert the words "or reducing the offending party in rank."

Same page, line 11, change the word "or" to the word "and;" change the word "person" to the word "member," and strike out the word "in."

Same page, line 12, strike out the words "said department" and insert the words "on the force for extinguishing fires."

Page 3, line 11, after the word "fund" insert the words "In every case the circumstances thereof shall be determined by a board to be composed of the deputy commissioner, the chief engineer and a surgeon of the department, who shall report all the facts in every case to the commissioner who shall order the payment of the pension to be made by drafts, signed as the said trustees shall direct, and such pension shall not be reduced or discontinued previous to the death of said retired pensioner."

Same page, line 16, after the word "part" insert the words "or shall die after having been retired from actual service."

Page 4, line 8, strike out the words "such commissioners" and insert the words "said commissioner."

Same page, line 16, after the word "vision" insert the words "and by the trustees of the firemen's insurance fund from the monthly pension of such retired members of the department who had contributed to said fund before retirement."

Same page, line 22, after the word "thereof" insert the words "or retired pensioner."

Same page, same line, strike out the words "and so contributing thereof."

Same page, line 24, after the word "employe" insert the words "or retired pensioner."

Same page, same line, strike out the words "five hundred" and insert the words "one thousand."

Page 5, line 5, after the word "pay" insert the words "The said commissioner of the fire department of the city of Brooklyn may direct the trustees of the Brooklyn fire department widows' and orphans' relief fund to pay from said fund to the widow of any deceased retired pensioner of said fire department who had contributed to said fund previous to his said retirement, and who, by reason of said retirement, was debarred from further contributing to or receiving any of the benefits of said fund, such sum of money as the widow of said retired pensioner would have been entitled to receive if said retired pensioner had not been retired from said fire department at the time of his death."

On motion of Mr. Taylor, said bill was ordered reprinted and placed on the order of third reading.

The bill (No. 1405) entitled "An act to provide for the construction of roads by local assessment, county and State aid" (Int. No. 1031), having been announced for a second reading,

Mr. Howe moved to strike out the first section.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. Kerr, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Thornton offered for the consideration of the House a resolution, in the words following:

Resolved, That the Assembly, at the close of to-day's session, take a recess until 8 p. m. to-day, and that at the evening session only such bills be considered as remain undisposed of on to-day's calendar, and in their order.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fuller, Int. No. 1080, entitled "An act to amend section 23 of chapter 39 of the Laws of 1853, as amended by chapter 67 of the Laws of 1871, entitled 'An act to supply the city of Watertown with pure and wholesome water, and for other purposes,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

The Senate sent for concurrence the following entitled bill:

"An act to amend the game law" (not printed, Rec. No. 266), which was read the first time, and referred to the committee on fisheries and game.

On motion of Mr. Sulzer, the committee on fisheries and game was discharged from the further consideration of said bill.

Mr. Sulzer asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Kerrigan	Plant	Stone
Babcock	Eldredge	La Fetra	Porter	Sulzer
Baker	Finnigan	Lasch	Rider, J.J.	Taylor
Berry	Fish	Lawson	Robertson	Terry, C.W.
Brennan	Foley	Lee	Robinson	Terry, J.F.
Burtis	Friday	Loonan	Roche	Thompson
Bush	Fuller	Marrin	Scanlon	Thornton
Butts	Gerst	Matthews	Schillinger	Tilton
Carroll	Glenn	McGuire	Schoepflin	Tobin
Chambers	Gould	McNamee	Schulz, H	Trainor
Chapman	Gray	Melody	Sherwood	Tuttle
Cutler	Harrigan	Messiter	Smith, M.F.	Vacheron
Davidson	Higbie	Mittnacht	Smith, S.W.	Van Amber
Dean	Houghton	Myers	Snyder	Vehslage
Denniston	Howe	Nixon	Southworth	Wells
Dinkelspiel	Hoysradt	O'Donnell	Stein	Whittet
Douglas	Kerr	O'Grady	Stevens	Wilcox

Ordered that the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Higbie introduced a bill entitled "An act to repeal chapter 526 of the Laws of 1869, entitled 'An act to establish a uniform width of tires for vehicles using the public highways in

the towns of East Hampton and South Hampton, Suffolk county" (Int. No. 1338), which was read the first time and referred to the committee on agriculture.

Mr. Ainsworth gave notice that at 8.30 this evening he would move a call of the House.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1321) entitled "An act to authorize the town of Flatlands, Kings county, to sell and convey certain real property therein owned by said town to the First Methodist Protestant church in said town" (Int. No. 1165), reported the same with the recommendation that the title be amended by beginning the word "first" with a capital "F."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1249) entitled "An act to amend section 7 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' as amended by chapter 451 of the Laws of 1892, and chapter 695 of the Laws of 1893, in relation to the department of police and excise of the city of Brooklyn" (Int. No. 1111), reported the same with the recommendation that it be amended as follows:

Page 1, make line 1 read as follows:

"Section 1. Section 7 of title 11 of chapter 500."

Page 2, line 8, change the word "subprecepts" to the word "subprecincts."

Amend the title so as to read as follows:

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the departments of police and excise and police surgeons."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1229) entitled "An act to amend section

37 of the election law " (Int. No. 1088), reported the same with the recommendation that it be amended as follows :

Page 1, line 3, after "§ 37" insert the words "Addition and cancellation of names on registry lists.—"

Amend the title so as to read as follows :

"An act to amend the election law, relating to addition and cancellation of names on the registry lists."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1215) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the street cleaning service in such city" (Int. No. 1092), reported the same with the recommendation that it be amended as follows :

Page 1, line 5, strike out the comma after the words "New York," and after the word "as" strike out the word "added" and insert the word "amended;" also, strike out the words "section three of."

Page 2, line 19, change the word "foreman" to "foremen."

Same page, line 24, change the word "foreman" to "foremen."

Page 3, line 18, change the word "foreman" to "foremen."

Amend the title by striking out the words "the such" in last line, and inserting the word "said."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1294) entitled "An act to amend chapter 342 of the Laws of 1885" (Int. No. 1134), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, after the words "section 1" insert the words "section one of;" also, begin the following word "chapter" with a small "c."

Same page, line 2, after the word "eighty-five" insert the words "entitled 'An act for the better security of mechanics, laborers and others who perform labor or furnish material for buildings and other improvements in the several cities and counties of the State, and to repeal certain acts and parts of acts

and acts amendatory thereof;" also, strike out the words "passed May twenty-seventh."

Same page, line 2, strike out the words "eighteen hundred and eighty-five;" also, strike out the words "as follows."

Same page, line 4, strike out the words "section one as amended;" also, after the word "so" strike out the words "that same shall read;" also, after the word "as" insert "to read."

Same page, line 5, strike out the words "How and by whom acquired."

Page 3, line 16, change the word "contrators" to "contractors."

Same page, line 22, after the word "eighth" insert the words "of said act;" and strike out the words "that same shall" and insert the words "as to."

Same page, line 8, strike out the words "Procedure to enforce; pleading."

Page 4, section 3, line 4, strike out the parentheses inclosing the word "produced."

Same page, line 3, strike out the word "provided."

Same page, line 12, strike out the words "so that."

Same page, line 13, strike out the words "the same shall" and insert the word "to."

Same page, line 14, strike out the words "construction of statutes."

Amend the title to read as follows:

"An act to amend chapter 342 of the Laws of 1885, entitled 'An act for the better security of mechanics, laborers and others who perform labor or furnish material for buildings and other improvements in the several cities and counties of the State and to repeal certain acts and parts of acts,' and acts amendatory thereof."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation.

"An act to legalize the grant of land under water, heretofore made by the commissioners of the land office of the State of New York to the village of Tonawanda." (No. 208, Int. No. 207.)

"An act to repeal section 4 of title 18 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing and special laws affecting public interests in the city of Brooklyn,' in relation to contracts for supplying the public lamps with gas." (No. 1241, Int. No. 1103.)

“An act to place fire hydrants and lay the necessary mains in connection therewith in the city of New York.” (No. 1290, Int. No. 1129.)

Ordered, That said bills be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1101) entitled “An act to prevent the pollution of the Oswegatchie river and the water supply of the city of Ogdensburg” (Int. No. 1069), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, strike out the word “shall” and insert the word “may.”

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1207) entitled “An act in relation to jurors, and to the appointment and the duties of a commissioner of jurors in the county of Westchester” (Int. No. 1115), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word “ninety-two” insert the words “entitled ‘An act in relation to jurors and to the appointment and the duties of a commissioner of jurors in the county of Westchester.’”

Page 1, line 4, change the word “Weschester” to “Westchester.”

Page 1, line 8, strike out the word “to” and insert the word “for.”

Amend the title so as to read as follows:

“An act to amend chapter 491 of the Laws of 1892, entitled ‘An act in relation to jurors, and to the appointment and the duties of a commissioner of jurors in the county of Westchester.’”

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1255) entitled “An act to amend the Code of Criminal Procedure, relating to witnesses’ fees” (Int. No. 1119), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word “served” and insert a semicolon and the words “witnesses’ fees.”

Page 1, line 8, strike out the word "is" and insert the word "are."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1208) entitled "An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provision for the celebration of Memorial day, including the year 1893'" (Int. No. 1116), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, begin the word "day" with a capital "D."

Page 2, line 2, capitalize the word "day."

Same page, line 5, capitalize the word "grand."

Same page, line 6, capitalize the words "army" and "republic."

Amend the title by capitalizing the word "day" in line 5.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1342), entitled "An act to amend chapter 205 of the Laws of 1890, entitled 'An act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States,' as amended by chapter 538 of the Laws of 1892, and to reappropriate an unexpended balance of appropriation heretofore made to carry out the provisions of said act" (Int. No. 1187), reported the same with the recommendation that it be amended as follows:

Page 1, line 6, after the word "ninety-two" strike out all of lines 6 and 7.

Page 2, strike out all in lines 1, 2 and 3 down to and including the word "act" on line 4.

Amend the title so as to read as follows:

"An act to amend chapter 205 of the Laws of 1890, entitled 'An act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States,' and to reappropriate an unexpended balance of appropriation heretofore made to carry out the provisions of said act."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1345) entitled "An act to amend chapter 33 of the Laws of 1892, entitled 'An act to amend sections 3, 4 and 18 of title 8 of chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to arrears" (Int. No. 1161), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, after the word "section" strike out all of lines 1 and 2 including the word "three" on line 3.

Same page, line 3, after the word "four" strike out the words "and eighteen."

Page 2, line 1, strike out the words "relating to arrears" and insert the words "as amended by chapter 33 of the Laws of 1892."

Same page, strike out all of lines 3 and 4.

Page 3, line 4, strike out the word "owner" and insert the word "owners."

Same page, line 9, after the word "premises" insert a "comma."

Page 4, line 19, strike out the word "ony" and insert the word "any."

Page 5, strike out all of line 3.

Page 5, line 4, after "assigns" insert the word "shall within that time have given the notice required by this."

Amend the title so as to read as follows :

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to arrears."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1137) entitled "An act to incorporate the St. Lawrence electric townsite company, to define its rights, powers and privileges, and for other purposes" (Int. No. 1023), reported the same with the recommendation that it be amended as follows :

Page 1, line 3, strike out the words "New York;" also, strike out the word "Credd" and insert the word "Creed."

Same page, line 4, "insert the letter "C." between "George" and "Sawyer."

Same page, line 5, strike out the words "State of New York."

Same page, line 8, capitalize the words "electric townsite company."

Same page, line 6, strike out the words "New York."

Same page, line 7, strike out the word "thee."

Page 3, line 1, change the word "elevate" to "elevated."

Same page, line 8, strike out the word "and" and insert a comma after the word "maintain."

Page 6, line 6, strike out "ocn" and insert "con."

Amend the title by capitalizing the words "electric townsite company."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 645) entitled "An act to amend chapter 323 of the Laws of 1887, entitled 'An act in relation to the labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise'" (Int. No. 608), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "eighty-seven" insert the words "entitled 'An act in relation to the labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise.'"

Page 2, between lines 2 and 3, insert the following section:

"§ 2. Section two of said act is hereby amended to read as follows:"

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1151), entitled "An act to amend chapter 517 of the Laws of 1889, entitled 'An act to establish a normal and training school at the village of Plattsburgh, in the county of Clinton, and to make an appropriation therefor,' relating to

the board of managers" (Int. No. 1017), reported the same with the recommendation that it be amended as follows:

Page 2, line 1, strike out the comma after the words "of," "and," and "respectively."

Same page, line 2, change the word "board" to "boards."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1193) entitled "An act to establish the compensation of the county judge of the county of Oneida" (Int. No. 1062), reported the same with the recommendation that it be amended as follows:

Strike out all of said bill and substitute the following:

"AN ACT to amend the county law, relating to the compensation of the county judge of Oneida county."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision thirty of section two hundred and twenty-two of chapter six hundred and eighty-six of the laws of eighteen hundred and ninety-two, entitled "An act in relation to counties, constituting chapter eighteen of the general laws," is hereby amended to read as follows:

30. | Oneida | 3,000 00 | 3,500 00

§ 2. Chapter two hundred and fifty-six of the laws of eighteen hundred and ninety-two, entitled "An act to establish the compensation of the county judge of the county of Oneida," is hereby repealed.

§ 3. This act shall take effect on the first day of July, eighteen hundred and ninety-four.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 457) entitled "An act with reference to the removal and appointment of heads of department in the city of New York" (Int. No. 434), reported the same with the recommendation that the title be amended by adding the letter "s" to the word "department" in last line.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The privileges of the floor were granted to Messrs. Thomas R. James, Frank J. Ames, William S. Andrews and J. B. Mowry, former members of this house.

Leave of absence was granted to Mr. Cassin until Monday evening next.

The Senate sent for concurrence the following entitled bills :

“An act supplemental to chapter 639 of the Laws of 1871, entitled ‘An act to regulate and protect the planting of oysters in the public waters of the towns of Jamaica and Hempstead in the county of Queens’” (No. 722, Rec. No. 241), which was read the first time and referred to the committee on commerce and navigation.

“An act to incorporate the St. Lawrence River Bridge Company” (No. 220, Rec. No. 220), which was read the first time and referred to the committee on commerce and navigation.

“An act relative to the Brooklyn Society for the Prevention of Cruelty to Children” (No. 766, Rec. No. 262), which was read the first time and referred to the committee on charitable and religious societies.

“An act extending the time for the completion of the Canton and St. Lawrence river railroad bridge” (No. 532, Rec. No. 265), was read the first time.

Mr. Higbie moved that said bill be substituted for Assembly bill (No. 835, Int. No. 769), same title and subject, now on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Higbie moved that said bill be recommitted to the committee on commerce and navigation, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Ainsworth, the House took a recess until 8 o'clock.

EIGHT O'CLOCK P. M.

The House again met.

The Senate returned the bill (No. 805) entitled "An act to authorize the procuring of new grounds and the erection thereon of buildings for the use of the College of the City of New York, and to provide the means to pay for the same" (Int. No. 332), with a message that they have concurred in the passage of the same, without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker announced the calendar of the day.

The bill (No. 1412) entitled "An act to amend the highway law, relative to the county roads and to the money system of working the highways" (Int. No. 967), having been announced for a second reading,

On request of Mr. Seibert, said bill was laid aside.

The bill (No. 1416) entitled "An act creating a commissioner of jurors for counties of the State having a population of 300,000 or more, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in courts of record in such counties; also prescribing the qualifications, exemptions and length of service of such jurors" (Int. No. 1042), was read the second time.

On motion of Mr. Schoepflin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1406) entitled "An act authorizing boards of supervisors to appoint commissioners for the equalization of taxes" (Int. No. 976), was read the second time.

On motion of Mr. Brownell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1408) entitled "An act entitled 'An act to provide for the payment of the amount advanced, or to be advanced, by the city of Schenectady for improvements made on Rotterdam street and Water street in said city, and for the collection of the same'" (Int. No. 876), was read the second time.

On motion of Mr. Myers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1409) entitled "An act to secure independence of voters of town meetings, secrecy of the ballot, and providing for

the use of automatic ballot cabinets" (Int. No. 661), was read the second time.

On motion of Mr. Tilton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1404) entitled "An act to amend chapter 207 of the Laws of 1851, entitled 'An act declaring Moose river a public highway'" (Int. No. 1066), was read the second time.

On motion of Mr. Douglas, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1415) entitled "An act to prevent and punish fraudulent sales of goods, wares and merchandise at public or private sale by itinerant vendors, and to regulate such sales" (Int. No. 546), having been announced for a second reading,

On request of Mr. Hoysradt, said bill was laid aside.

The bill (No. 1410) entitled "An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York'" (Int. No. 929), was read the second time.

On motion of Mr. Lawson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1418) entitled "An act to amend section 2320 of the Code of Civil Procedure, relative to the jurisdiction of the Supreme Court over the person and property of incompetent persons" (Int. No. 1059), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1419) entitled "An act to amend section 258 of the Code of Civil Procedure, relative to the stenographers of the Supreme Court" (Int. No. 1168), was read the second time.

On motion of Mr. Stone, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1420) entitled "An act to amend an act entitled 'An act to incorporate the Port Jervis Water Works Company,' passed May 8, 1868" (Int. No. 793), was read the second time.

On motion of Mr. Dean, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1421) entitled "An act to provide for the establishment of a home for the aged dependent veteran and his wife, veterans' mothers, widows and army nurses, residents of New York" (Int. No. 487), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1422) entitled "An act to authorize the Board of Claims to hear, audit and determine claims for military uniforms for the National Guard of the State of New York" (Int. No. 751), was read the second time.

On motion of Mr. Whittet, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to prevent the display of foreign flags on public buildings." (No. 1338, Int. No. 1183.)

"An act to amend the Penal Code, in relation to ice cuttings and ice bridges." (No. 1251, Int. No. 1113.)

Ordered, That said bills be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1259), entitled "An act to authorize the common council of the city of Corning to borrow money and issue the obligation of said city in payment of certain real estate" (Int. No. 1127), reported the same with the recommendation that it be amended as follows:

Page 2, line 4, make line 4 read "and interest thereon mature."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1335) entitled "An act to amend the Penal Code, in relation to furnishing libelous information" (Int. No. 1180), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the word "neal" and insert the word "penal."

Same page, lines 2 and 3, strike out all after the word "code" in line 2, up to and including the word "ninety" in line 3.

Same page, line 7, change the word "magazne" to "magazine."

Same page, line 8, insert a comma after the word "serial."

Same page, line 10, strike out the word "lbel" and insert the word "libel."

Same page, line 12, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-four."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 976) entitled "An act to regulate fares for passengers on the ferry boats plying on the East river between Broadway in the city of Brooklyn, and Roosevelt street in the city of New York, and operated by the Brooklyn and New York Ferry Company" (Int. No. 887), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, after the word "company" strike out the comma.

Same page, same line, after the word "liable" strike out the comma.

Same page, line 10, strike out the word "the."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1022), entitled "An act to amend chapter 300 of the Laws of 1875, entitled 'An act providing that the bridge in course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company and the completion and management of said bridge by the said cities'" (Int. No. 938), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, after the word "cities" insert the words "as amended by chapter 192 of the Laws of 1887."

Page 2, line 15, strike out the word "that" and insert the word "who."

Amend the title by inserting after the word "cities" in the last line the words "relating to the compensation of policemen."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1359) entitled "An act in relation to the exemption from taxation of the real property of 'The Pythian Association' of the city of Amsterdam" (Int. No. 1211), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, strike out the words "the same" and insert the words "said building."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 392) entitled "An act in relation to the justices' courts in the city of Brooklyn" (Int. No. 386), reported the same with the recommendation that it be amended as follows:

Page 4, line 6, add the letter "s" to the word "reside."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1085) entitled "An act to amend an act entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' passed July 1, 1882, and acts amendatory thereof" (Int. No. 975), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the act" and insert the words "chapter 410 of the Laws of 1882."

Same page, line 4, strike out all of the line after the words "New York."

Same page, line 5, strike out the word "are" and insert the word "is."

Same page, lines 5 and 6, strike out the words "by adding thereto" and insert the words "to read."

Page 2, line 9, change the word "amendments" to "amendment."

Amend the title so as to read as follows:

"An act to amend chapter 410 of the Laws of 1882, entitled

‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ and the acts amendatory thereof relating to the judgment of the court of special sessions in certain cases made final.”

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1083) entitled “An act to amend section 1290 of chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ in relation to actions for penalties” (Int. No. 973), reported the same with the recommendation that it be amended as follows:

Page 1, line 5, strike out the words “section one of.”

Amend the title by striking out the words “section twelve hundred and ninety of” in first line.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1402) entitled “An act fixing the pay, compensation and salary of the doormen and acting doormen of the park police of the city of New York, and providing for the payment of the same, and for their vacation and benefit under the pension fund” (Int. No. 849), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, after the word “annum” strike out the period and insert a semicolon; also, begin the last word “The” with a small “t.”

Page 2, line 2, add the letter “s” to the word “commissioner.”

Same page, line 4, strike out the word “of” and insert the word “for.”

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1399) entitled “An act for the relief of John C. Ham, formerly of New York city, now residing at New

Rochelle, Westchester county, and to authorize the comptroller of the city of New York to enquire into the claim of said John C. Ham, and to issue revenue bonds to pay same, and to authorize the board of estimate and apportionment of said city to make provision to pay said revenue bonds" (Int. No. 483), reported the same with the recommendation that it be amended as follows :

Page 2, line 11, change the word "discretion" to "discretion."

Amend the title by changing the word "Westchester" to "Westchester," in the second line, and by changing the word "enquire" to "inquire," in the fourth line.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1257), entitled "An act to amend section 1 of chapter 89 of the Laws of 1891, entitled 'An act to provide for the erection of museum buildings on park lands in the city of Brooklyn, and to authorize leases thereof to the Brooklyn institute of arts and sciences'" (Int. No. 1125), reported the same with the recommendation that it be amended as follows :

Page 1, line 4, capitalize the word "institute."

Same page, line 5, capitalize the words "arts" and "sciences."

Same page, line 7, change the word "commissioners" to "commissioner."

Page 2, line 5, change the word "commissioners" to "commissioner."

Same page, line 6, capitalize the words "institute," "arts" and "sciences."

Same page, line 25, after the word "buildings" insert a comma.

Same page, line 26, change the word "commissioners" to "commissioner."

Amend the title by striking out "section 1 of" in first line and capitalizing the words "institute," "arts" and "sciences" in last line.

Page 3, line 2, capitalize the words "institute," "arts" and "sciences."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1102) entitled "An act to make further

provisions for the erection of an armory in the county of Kings for the Fourteenth regiment, National Guards, State of New York" (Int. No. 1005), reported the same with the recommendation that it be amended as follows :

Page 1, line 6, after the word "session" insert a comma.

Page 2, line 2, strike out comma after the word "premiums."

Same page, line 3, strike out comma after the word "county."

Same page, line 4, strike out the word "of."

Same page, line 5, after the word "ninety-three" strike out the words "entitled 'An act to amend chapter,'" and insert the words "amendatory of said chapter 153 of the Laws of 1890."

Same page, strike out lines 6, 7, 8, 9, 10, 11, 12 and 13.

Same page, line 16, insert a comma after the word "necessary."

Same page, line 20, strike out the word "are" and insert the word "as."

Page 3, line 1, insert a comma after the word "necessary."

Same page, line 7, strike out the word "so" and insert the word "as;" also, strike out the word "the."

Same page, strike out all of line 8 and all of line 9 up to and including the word "to" before the word "conform" and insert the word "may."

Amend the title by striking off the letter "s" from the word "guards" in the last line.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 977), entitled "An act to regulate the number of trips at certain hours of ferry boats plying on the East river between Broadway in the city of Brooklyn and Roosevelt street in the city of New York, and operated by the Brooklyn and New York Ferry Company" (Int. No. 888), reported the same, with the recommendation that it be amended as follows :

Page 1, line 4, insert a comma after the word "daily;" also, insert a comma after the word "Sunday."

Same page, line 5, after the word "six" insert the word "o'clock;" also, after the word "thirty" insert the word "o'clock."

Same page, line 6, after the word "thirty" insert the word "o'clock;" also, after the word "seven" insert the word "o'clock;" also, insert a comma after the word "morning."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1316) entitled "An act to amend the agricultural law and the Penal Code, relative to violations of the same" (Int. No. 1160), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the agricultural law" and insert the words "chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general law.'"

Same page, line 2, before the word "as" insert the words "to read."

Same page, line 6, after the word "butter" insert a semicolon.

Same page, line 12, after the word "amended" insert the words "to read."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The bill (No. 1423) entitled "An act to correct manifest errors in chapters 66 and 67 of the Laws of 1894, relating to the village of Lansingburgh" (Int. No. 1139), was read the second time.

On motion of Mr. Chambers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 815), entitled "An act to amend chapter 60 of the Laws of 1893, entitled 'An act to provide for conveying the waters of Trout or Ensign brook under the Champlain canal at Leland farm, in the town of Half Moon, Saratoga county, and making an appropriation therefor'" (Int. No. 749), was read the second time.

On motion of Mr. Terry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1346) entitled "An act to reappropriate certain unexpended balances of former appropriations" (Int. No. 1191), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1274) entitled "An act to provide for repairing the bridge across the Tonawanda creek on the Tonawanda Indian

reservation, and make an appropriation for the same " (Int. No. 1186), was read the second time.

On motion of Mr. Tuttle, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 285), entitled "An act to provide means for constructing and repairing ditches for carrying off the back water from the lands in the town of Wheatfield, in the county of Niagara, occasioned by the erection of the State dam for canal purposes across the Tonawanda creek near its mouth in the village of Tonawanda" (Int. No. 281), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 129) entitled "An act authorizing the construction of a wrought-iron bridge over the Erie canal at Griffith street in the city of Rochester, and making an appropriation therefor" (Int. No. 135), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (1303) entitled "An act to authorize the completion of repairs to the State dam across the Mohawk river at Cohoes, and making an appropriation therefor" (Int. No. 1144), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 326) entitled "An act making an appropriation for repairing the State armory at Auburn and enlarging its drill room, and to provide for the exchange of certain portions of the armory lot for adjoining land, and for the acquisition of other adjoining land, and appointing a commission therefor" (Int. No. 317), was read the second time.

On motion of Mr. Wilcox, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1158) entitled "An act to provide for the payment of an allowance to families of firemen killed or fatally injured in the discharge of their duties" (Int. No. 1024), was read the second time.

On motion of Mr. Fairbrother, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 982) entitled "An act to reappropriate the unex-

pending balance of the sum of \$8,000 appropriated by chapter 705 of the Laws of 1892" (Int. No. 893), was read the second time.

On motion of Mr. M. F. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 823) entitled "An act to provide for subsistence, pay and expenses of light artillery of National Guard, New York" (Int. No. 757), was read the second time.

On motion of Mr. Brownell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 828) entitled "An act to provide for repairs and improvement of the lift-bridge now over the Champlain canal at Broad street, in the town of Waterford, Saratoga county" (Int. No. 762), was read the second time.

On motion of Mr. J. F. Terry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 853) entitled "An act making an appropriation for raising and lengthening the approach to Bullard's bridge, in the county of Saratoga, and State bridge No. 108, in the county of Washington" (Int. No. 788), was read the second time.

On motion of Mr. Hobbie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 360) entitled "An act making an appropriation for repairing and reconstructing the State armory and drill-room at Walton, and to provide for the acquisition of additional land, and appointing a commission therefor" (Int. No. 346), was read the second time.

On motion of Mr. Gould, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 612) entitled "An act to provide for repairing and reconstructing the walls and banks and putting in safe and proper condition the channel of Falls creek, in the village of Havana, and making appropriation therefor" (Rec. No. 173), was read the second time.

On motion of Mr. Snyder, said bill was placed on the order of third reading.

The Senate bill (No. 197) entitled "An act to provide and maintain a nautical school for the State of New York, and to merge therein the present nautical school maintained by the board of education of the city of New York" (Rec. No. 147), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading.

The Senate bill (No. 550) entitled "An act relating to canals, constituting chapter 13 of the general laws" (Rec. No. 125), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

Mr. Hoysradt called from the table the bill (No. 1415) entitled "An act to prevent and punish fraudulent sale of goods, wares and merchandise at public or private sale by itinerant vendors, and to regulate such sales" (Int. No. 546), previously laid aside.

Said bill was read the second time.

On motion of Mr. Hoysradt, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Sulzer in the chair.

The bill (No. 1103) entitled "An act providing for the construction of a dam on the Genesee river for purposes of the Erie canal, and for restoring to the owners of water power on the Genesee river the water diverted by the State for canal purposes and making an appropriation therefor" (Int. No. 22), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 44 }
{ NOES 64 }

Those who voted in the affirmative, were

Berry	Gardiner	La Fetra	Reilly	Stone
Butts	Gleason	Lasch	Roche	Sulzer
Callahan	Herrman	McDermott	Schillinger	Taylor
Chapman	Hoefler	McNamee	Schulz, F.F.	Ferry, J.F.
Corrigan	Hoysradt	Melody	Smith, S.W.	Trainor
Davidson	Keenan	Mittnacht	Southworth	Tuttle
Denniston	Kelsey	Myers	Stadtfeld	Vehslage
Dinkelspiel	Kerr	O'Donnell	Stein	Wilcox
Finnigan	Kerrigan	O'Grady	Stevens	

Those who voted in the negative, were

Ainsworth	Foley	Keleher	Robbins	Stewart
Babcock	Friday	Kern	Robertson	Terry, C.W
Baker	Fuller	Lawson	Robinson	Thompson

Braun	Gerst	Lee	Robson	Thornton
Brownell	Gould	Loonan	Ryder, E.L.	Tilton
Carroll	Gray	Marrin	Scanlon	Tobin
Clark, F.E.	Harrigan	Matthews	Schoepflin	Vacheron
Clark, J. H.	Higbie	Nixon	Schulz, H	Van Amber
Cutler	Hobbie	Parkhurst	Seibert	Wells
Dean	Horton	Plant	Sheffield	Whittet
Dowling	Hotaling	Porter	Sherwood	Wray
Fairbrother	Houghton	Prescott	Smith, M.F.	Wyckoff
Fish	Howe	Rider, J.J.	Snyder	

Mr. O'Grady moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 586) entitled "An act in relation to habitual drunkards, vagrants and prostitutes in the county of Monroe" (Int. No. 547), having been announced for a third reading,

Mr. Stone moved to recommit said bill to the committee on the judiciary for a further hearing, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

The bill (No. 991) entitled "An act to amend the Code of Civil Procedure, relating to jurors' fees in justices' court" (Int. No. 905), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keleher	Porter	Stein
Babcock	Fairbrother	Kelsey	Prescott	Stevens
Baker	Fish	Kerr	Reilly	Stewart
Berry	Foley	Kern	Rider, J.J.	Stone
Braun	Friday	Kerrigan	Robertson	Sulzer
Brownell	Fuller	La Petra	Robinson	Taylor
Burtis	Gardiner	Lasch	Roche	Terry, C.W
Butts	Gerst	Lawson	Ryder, E.L.	Terry, J.F.
Callahan	Gould	Lee	Scanlon	Thornton
Carroll	Gray	Loonan	Schillingr	Tilton

Chapman	Harrigan	Matthews	Schoepflin	Trainor
Clark, F.E.	Herrman	McDermott	Schulz, F.F.	Tuttle
Clark, J. H.	Higbie	McNamee	Schulz, H	Vacheron
Corrigan	Hobbie	Melody	Sherwood	Van Amber
Cutler	Hoefler	Myers	Smith, M.F.	Vehslage
Davidson	Horton	Nixon	Smith, S.W.	Wells
Dean	Houghton	O'Donnell	Southworth	Whittet
Denniston	Howe	O'Grady	Stadtfeld	Wilcox
Dinkelspiel	Hoysradt	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 597) entitled "An act to amend the Penal Code, in relation to autopsies in insane asylums and hospitals" (Int. No. 562), having been announced for a third reading,

On motion of Mr. Fish, said bill was laid aside.

The bill (No. 1089) entitled "An act in relation to the commitment, care and support of destitute and delinquent children in the county of Kings" (Int. No. 978), having been announced for a third reading,

On motion of Mr. Wray, said bill was restored to its place as laid aside on the order of second reading, the same having been placed erroneously on the order of third reading.

The bill (No. 1091) entitled "An act to repeal section 9 of chapter 347 of the Laws of 1880, entitled 'An act to provide for the reporting of appointments or commitments to the benevolent institutions of the State, excepting the county of Kings'" (Int. No. 981), having been announced for a third reading,

On motion of Mr. Wray, said bill was restored to its place as laid aside on the order of second reading, the same having been placed erroneously on the order of third reading.

The bill (No. 1098) entitled "An act to amend the public health law, relating to admissions for examinations to practice; appropriations for conducting same by regents" (Int. No. 988), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Houghton	Melody	Stevens
Babcock	Finnigan	Hoysradt	Messiter	Sulzer
Baker	Fish	Keenan	Mittnacht	Terry, C.W.
Berry	Foley	Keleher	Myers	Terry, J.F.
Brennan	Friday	Kelsey	Nixon	Tilton
Brownell	Fuller	Kerr	Plant	Tobin
Carroll	Gerst	Kern	Porter	Trainor
Chapman	Gleason	Kerrigan	Prescott	Vacheron
Clark, J. H.	Glenn	La Fetra	Rider, J.J.	Van Amber
Cutler	Gould	Lasch	Roche	Vehslage
Davidson	Harrigan	Lawson	Scanlon	Wells
Dean	Hennessy	Lee	Schillinger	Whittet
Denniston	Herrman	Lounsbury	Schoepflin	Wilcox
Dinkelspiel	Hobbie	Loonan	Smith, M.F.	Wray
Dowling	Horton	Marrin	Stadtfeld	Wyckoff
Eldredge	Hotaling	McDermott	Stein	

In the negative,

Matthews

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Nixon called from the table the bill (No. 597) entitled "An act to amend the Penal Code, in relation to autopsies in insane asylums and hospitals" (Int. No. 562), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Baker	Foley	Kerr	Prescott	Stein
Berry	Friday	Kern	Rider, J.J.	Stevens
Braun	Fuller	Kerrigan	Robbins	Stewart
Burtis	Gardiner	La Fetra	Robinson	Sulzer
Cahill	Gerst	Lawson	Robson	Taylor
Callahan	Gleason	Lee	Roche	Terry, C.W.
Carroll	Glenn	Loonan	Ryder, E.L.	Terry, J.F.

Clark, J. H.	Gould	Marrin	Scanlon	Thompson
Corrigan	Harrigan	Matthews	Schoepflin	Thornton
Cutler	Herrman	McDermott	Schulz, F.F.	Tilton
Dean	Hobbie	McGuire	Seibert	Trainor
Denniston	Hoefer	McNamee	Sheffield	Tuttle
Dinkelspiel	Horton	Melody	Sherwood	Vacheron
Douglas	Hotaling	Messiter	Smith, M.F.	Van Amber
Dowling	Howe	Myers	Smith, S.W.	Wells
Eldredge	Hoysradt	Nixon	Snyder	Whittet
Fairbrother	Keck	Parkhurst	Southworth	Wilcox
Finnigan	Keleher	Plant	Stadtfeld	Wyckoff
Fish	Kelsey	Porter		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 569) entitled "An act to amend chapter 252 of the Laws of 1857, entitled 'An act to incorporate the Genesee Camp Ground Association'" (Int. No. 539), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Howe	Nixon	Southworth
Baker	Dowling	Keenan	O'Donnell	Stadtfeld
Berry	Eldredge	Keleher	Plant	Stein
Braun	Fairbrother	Kelsey	Porter	Stevens
Brennan	Finnigan	Kerr	Reilly	Sulzer
Brownell	Fish	Kern	Rider, J.J.	Taylor
Burtis	Foley	La Fetra	Robbins	Terry, C.W.
Cahill	Friday	Lasch	Robertson	Terry, J.F.
Callahan	Fuller	Lawson	Robson	Thompson
Carroll	Gardiner	Lee	Ryder, E.L.	Tilton
Chapman	Gerst	Loonan	Scanlon	Trainor
Clark, J. H.	Gleason	Marrin	Schillinger	Tuttle
Corrigan	Glenn	Matthews	Schoepflin	Vacheron
Coughlin	Gould	McGuire	Schulz, F.F.	Vehslage
Cutler	Herrman	McNamee	Schulz, H	Wells
Davidson	Hobbie	Messiter	Sheffield	Whittet
Dean	Hoefer	Mittnacht	Smith, M.F.	Wilcox
Denniston	Horton	Myers	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Ainsworth, the House adjourned.

THURSDAY, MARCH 29, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Thomas White.

On motion of Mr. Vacheron, the journal of yesterday was approved without being read.

The Senate sent for concurrence the following entitled bills :

"An act to authorize the town of Camden to construct a town hall " (not printed, Rec. No. 267), was read the first time.

Mr. Porter asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kerr	O'Grady	Stein
Babcock	Foley	Kern	Plant	Stevens
Baker	Friday	Kerrigan	Porter	Stewart
Braun	Fuller	La Fetra	Reilly	Stone
Brownell	Gardiner	Lasch	Rider, J.J.	Taylor
Butts	Glenn	Lawson	Robbins	Terry, C.W.
Callahan	Gould	Lee	Robertson	Terry, J.F.
Carroll	Gray	Lounsbury	Robson	Thompson
Chapman	Hennessy	Loonan	Roche	Thornton
Clark, J. H.	Herrman	Marrin	Scanlon	Tilton
Corrigan	Higbie	Matthews	Schillinger	Tobin
Cutler	Hoefer	McDermott	Schoepflin	Tuttle
Davidson	Horton	McGuire	Schulz, F.F.	Van Amber
Dean	Houghton	Melody	Schulz, H	Vehslage
Denniston	Howe	Messiter	Sheffield	Wells
Dinkelspiel	Hoysradt	Mittnacht	Sherwood	Whittet
Dowling	Keenan	Myers	Smith, S.W.	Wilcox
Eldredge	Keleher	Nixon	Snyder	Wyckoff
Fairbrother	Kelsey	O'Donnell	Southworth	

Ordered, That the Clerk return said bill to the Senate with a

message that the Assembly have concurred in the passage of the same.

“An act authorizing and empowering the board of trustees of the village of Canastota to cause a survey and map of the territorial limits of said village as extended by chapter 165 of the Laws of 1855 to be made, verified and filled ” (No. 671, Rec. No. 268), was read the first time.

On motion of Mr. Kern, said bill was substituted for Assembly bill No. 1149, Int. No. 1015, same title and subject, now on the order of third reading.

“An act relative to defraying the expenses of operating the lift and swing bridges along the lines of the State canals ” (No. 719, Rec. No. 245), was read the first time.

On motion of Mr. Denniston, said bill was substituted for Assembly bill No. 879, Int. No. 808, same title and subject, now on the order of second reading.

“An act to amend section 178 of the town law, as amended by chapter 297 of the Laws of 1893” (No. 721, Rec. No. 227), which was read the first time.

Mr. Stone moved to substitute said bill for Assembly bill No. 1187, Int. No. 1055, same title and subject, now on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Matthews moved that the House take a recess until 12 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker announced the special order of the day, being the bill (No. 1468) entitled “An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations.” (Int. No. 1253.)

Said bill having been announced for a second reading, and pending the consideration of the same,

Mr. Ainsworth moved that the members of the honorable the Legislature of the State of New Jersey, who are our guests, be granted the privileges of the floor, and that the House take a recess for five minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer moved that a committee of two be appointed to escort the Hon. Mr. Holt, Speaker of the Assembly of the State of New Jersey, to a seat by our presiding officer.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Sulzer and Ainsworth.

The said committee appeared, accompanied by the Hon. Mr. Holt, who was escorted to the chair by the Speaker.

TEN O'CLOCK AND FIFTY-FIVE MINUTES.

The House again met and resumed the consideration of the bill (No. 1468) entitled "An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations." (Int. No. 1253.)

On motion of Mr. Ainsworth, the following amendments were adopted:

Page 10, line 10, before the word "fiscal" insert the word "current."

Page 29, line 1, add the letter "s" to the word "commissioner" and after the word "commissioners" insert the words "of fisheries."

Page 30, line 6, strike out the word "hereby" and insert the words "in the last two foregoing items are."

Page 5, line 11, strike out the word "Justice" first occurring and insert the word "Joseph."

Page 19, line 13, after the word "appropriation" insert the words "which may be required for the completion of the westerly wing."

Same page, line 21, strike out the words "this appropriation" and insert the words "the amount so required."

Page 21, line 3, strike out the word "fourteen" and insert the word "fifteen."

Page 23, line 1, after the words "New York" insert the word "agricultural" and strike out the letters "al" in "experimental."

Page 20, after line 17, add the following:

"For compensation of officers and employes of the Western House of Refuge for Women, for the maintenance of the institution and transportation of convicts, ten thousand dollars."

On motion of Mr. Sulzer, said bill was amended as follows:

Page 9, after line 25, insert the following:

"For the Adjutant-General, for fees of counsel employed, and

necessary expenses in prosecuting the suit of the State of New York against the United States, the petition of which was filed February 7, 1889, to recover the sum of one hundred and thirty-one thousand dollars, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers approved by the Adjutant-General and the Governor."

"For the Adjutant-General, for services and necessary traveling expenses in prosecuting the war claims of the State against the United States, under his direction, five thousand dollars, or so much thereof as may be necessary, to be approved by the Governor as commander-in-chief."

On motion of Mr. Ainsworth, and by unanimous consent, said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kelsey	Prescott	Stewart
Baker	Foley	Kerr	Reilly	Stone
Berry	Friday	Kern	Rider, J.J.	Sulzer
Braun	Fuller	Kerrigan	Robbins	Taylor
Brennan	Gardiner	Lasch	Robertson	Terry, C.W.
Brownell	Gerst	Lawson	Robson	Terry, J.F.
Bush	Glenn	Lee	Roche	Thompson
Cahill	Gould	Lounsbury	Ryder, E.L.	Thornton
Callahan	Gray	Marrin	Scanlon	Tilton
Carroll	Harrigan	Matthews	Schillinger	Trainor
Chapman	Hennessy	McDermott	Schoepflin	Tuttle
Clark, F.E.	Herrman	McGuire	Schulz, F.F.	Vacheron
Clark, J. H.	Higbie	McKeon	Schulz, H.	Van Amber
Corrigan	Hoefler	Melody	Seibert	Vehslage
Coughlin	Horton	Messiter	Sherwood	Wells
Dean	Hotaling	Mittnacht	Smith, M.F.	Wieman
Denniston	Houghton	Nixon	Smith, S.W.	Wilcox
Dowling	Howe	O'Donnell	Snyder	Wray
Eldredge	Hoysradt	O'Grady	Stadtfeld	Wyckoff
Fairbrother	Keck	Parkhurst	Stein	Speaker
Finnigan	Keenan	Porter	Stevens	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Prescott, from the committee on codes, to which was

referred the bill introduced by Mr. Stadtfeld, Int. No. 767, entitled "An act to amend section 1759 of the Code of Civil Procedure," reported in favor of the passage of the same, with the following amendments :

Page 1, line 9, change the word "direct" to the word "require."

Page 2, line 2, after the word "order" insert the words "after due notice to the defendant."

Same page, line 3, strike out the word "annul."

Same page, after line 15 add the following :

"§ 2. This act shall take effect September 1, 1894."

W. C. PRESCOTT,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. J. F. Terry, Int. No. 1263, entitled "An act to amend chapter 470 of the Laws of 1890, and to confer additional powers upon the board of street commissioners of the village of Saratoga Springs," reported in favor of the passage of the same, with the following amendments :

Page 4, line 21, after the word "proceeding" insert the word "hereafter."

Page 5, line 6, after the word "proceeding" insert the words "hereafter brought."

JOHN M. CHAMBERS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Stein, Int. No. 974, entitled "An act to amend an act entitled 'An act to establish a Code of Criminal Procedure,' passed June 1, 1881, and the acts amendatory thereof," reported in favor of the passage of the following substitute therefor :

AN ACT to amend an act entitled "An act to establish a Code of Criminal Procedure," passed June 1, 1881, and the acts amendatory thereof.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section seven hundred and forty-nine of part five, title three of an act, entitled "An act to establish a code of

criminal procedure," passed June first, eighteen hundred and eighty-one, and the acts amendatory thereof, is hereby amended to read as follows:

§ 749. A judgment upon conviction, rendered by a court of special sessions, police court, police magistrate, or justice of the peace, in any criminal action or proceedings or special proceedings of a criminal nature, including a judgment of commitment, made under section two hundred and ninety-one of the penal code, may be reviewed by the court of sessions of the county, upon an appeal as described by this title and not otherwise; and any appeals heretofore taken and allowed from a judgment of any police court or police magistrate in the manner that appeals are directed to be taken and allowed by this title, and now pending undetermined in any court of this state are hereby declared to be legal and valid and of the same force and effect as if taken after the passage of this act. An appeal from a judgment of commitment made under section two hundred and ninety-one of the penal code, may be allowed to any person having, previous to such commitment, a right to the custody of the child; but, upon such appeal, in addition to the notice and papers required by this title to be served on appeals in criminal actions, notice of all proceedings and copies of the affidavit and allowance of appeal therein must be served upon the institution named in the commitment, and upon the society mentioned in section two hundred and ninety-three of the penal code, if there be one within the county. Such institution and society, or either, shall have the right to move to argue or dismiss, and to be heard upon the argument of such appeal; and shall have the like right to appeal from the judgment of the court of sessions of the county to the supreme court, as is conferred by section seven hundred and seventy of this code upon a defendant, and to the court of appeals by section five hundred and nineteen of this code; and pending any appeal and until the final determination thereof, the child named in the commitment must remain in the custody of the institution therein specified. This act shall not apply to a person convicted as a disorderly person in the city of New York, for failing or neglecting to provide for his family, wife or child.

§ 2. This act shall take effect September first, eighteen hundred and ninety-four.

W. C. PRESCOTT,

Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 184,

entitled "An act to amend 682 of the Code of Civil Procedure, relating to liens on real property," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxton, Rec. No. 36, entitled "An act to amend the Code of Criminal Procedure, by inserting therein three new sections to be known as sections 696, 697 and 698, relating to conditional pardon," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act to amend the public health law." (Int. No. 515.)

"An act to amend the county law, relating to the compensation of the county judge of Oneida county." (Int. No. 1062.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of buildings." (Int. No. 804.)

"An act to amend chapter 458 of the Laws of 1884, entitled 'An act to provide additional accommodations for the common schools in the city of New York,' as amended and extended by chapter 494 of the Laws of 1885, chapter 456 of the Laws of 1886, chapter 136 of the Laws of 1888, chapter 252 of the Laws of 1889, chapter 264 of the Laws of 1891, and chapter 282 of the Laws of 1893." (Int. No. 141.)

"An act to incorporate the New York Zoological and Botanical Gardens, and to provide for the establishment of zoological and botanical gardens in the city of New York." (Int. No. 453.)

"An act to amend the Code of Civil Procedure, relating to sheriffs' fees. (Int. No. 1120.)

"An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo.'" (Int. No. 1022.)

"An act to provide for rapid transit railways in cities of over one million inhabitants." (Int. No. 438.)

Mr. Chambers, from the committee on villages, to which was referred the bill introduced by Mr. Berry, Int. No. 589, entitled

“An act to amend chapter 818 of the Laws of 1868, entitled ‘An act to incorporate the village of Port Chester,’” reported in favor of the passage of the same with the following amendment:

Page 5, strike out line 26.

Page 6, strike out all of lines 1 to 23 inclusive, and insert the following section:

“§ 22. The board of trustees may at any time submit to the inhabitants of said village, a proposition for the election of a police justice for said village. Such election shall be by ballot and if a majority of the votes cast shall be in favor of the election of a police justice, said officer shall be elected at the next annual meeting or election and at every third annual election thereafter. He shall be a resident of said village, and shall hold office for three years and shall have the same powers and jurisdiction in criminal cases which justices of the peace now have by law or which may hereafter be conferred on justices of the peace by law, and shall be subject to the same duties and liabilities as justices of the peace of the several towns of this State, and shall have exclusive jurisdiction to hear and determine all cases, proceedings, or actions, civil or criminal in all cases of violation of village ordinances or of the by-laws, or arising under or by violation of the charter of said village, and shall have full power and authority to enforce the payment of all fines and penalties imposed by the charter, by-laws, or ordinances. Said police justice shall have within said village such exclusive jurisdiction and such other powers and jurisdiction as are conferred by chapter two hundred and ninety-one of the Laws of eighteen hundred and seventy, entitled ‘An act for the incorporation of villages,’ and the acts amendatory thereof, upon police justices, and shall be subject to the same duties and liabilities as such police justices under said act and the acts amendatory thereof. The judgment and proceedings of said police justice may be reviewed in the same manner and to the same extent as now provided by law in case of justices of the peace. Such police justice shall receive for his services an annual salary to be fixed by the board of trustees, and he shall not retain for his own use any costs, fees, fines or penalties, but the same shall be paid over by him to the village treasurer. He shall hold a court of special sessions at least once a day or oftener if the board of trustees shall determine, and the same shall be held at such time and place as may be designated by the board of trustees. He shall make reports to the board of trustees at such times as may be determined by them, of all his proceedings and of all fines, costs or penalties received by him. The salary or compensation of said police justice shall be raised by taxation as other village expenses are raised or collected, in addition to all other sums now authorized to be raised.”

Page 6, line 25, after the word “office” insert the words “of police justice.”

Page 7, line 5, strike out the word "by" and insert the word "of."

Page 9, line 8, add the letter "s" to the word "device."

Page 11, line 12, add the letter "s" to the word "proceeding."

Page 14, line 23, after the word "therein" insert the words "and they may also direct that any defect, irregularity or omission in any report or return made by the receiver may be amended or corrected by him to conform to law."

Page 18, after line 9, insert "§ 22. The expense of regulating, grading and paving streets."

Same page, line 10, strike out all of line except the word "and."

Page 25, line 25, begin the word "code" with capital "C;" also, the word "civil" with a capital "C;" also, the word "procedure" with a capital "P."

Page 27, line 4, after the word "assessments" insert the words "and the provisions of said title applicable to sales for non-payment of assessments for other local improvements shall apply as near as may be to sales for non-payment of sewer assessments."

JOHN M. CHAMBERS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 953, entitled "An act to amend chapter 496 of the Laws of 1870, entitled 'An act to organize and establish a police for the village of West Troy,' as amended by chapter 34 of the Laws of 1892," reported in favor of the passage of the same with the following amendments:

Page 1, line 8, strike out the words "one from each ward thereof."

Page 2, line 1, strike out the word "immediately" and insert the words "within ten days."

Same page, strike out all of line 4 after the word "party."

Same page, strike out all of lines 5 to 10 inclusive.

Same page, strike out all of line 11 before the word "In" and insert the words "two of such commissioners shall be appointed by said board of trustees on the nomination of the members of said board of trustees belonging to the political party receiving the highest number of votes in said village at the preceding general State election for its candidates, and the other two of such commissioners shall be appointed by said board of trustees on the nomination of the members of said board of trustees belonging to the political party receiving the next highest number of votes in said village at the preceding general State election for

its candidates; each of the said nominations by the said respective members of said board of trustees to be evidenced by a certificate in writing and signed by a majority of the members of the board of trustees belonging to the political party for which such nominations are made, said certificate to be filed with the clerk of said village within nine days after the taking effect of this act."

Page 3, strike out all of line 4 after the word "office."

Same page, strike out all of lines 5 and 6.

Same page, strike out all after line 9 and insert the following:

"§ 4. Section 6 of said chapter 496 of Laws of 1870 is hereby amended so as to read as follows: "

"§ 6. The four commissioners of police appointed as provided by this act shall constitute and be the board of police of the village of West Troy. The said board of police shall select and designate one of their number as president and another as secretary of said board, who shall hold their offices during the pleasure of the board. The secretary shall record the proceedings of said board and make out all statements, certificates and orders required by this act or directed by said board.

"§ 5. Section 8 of said chapter 496, Laws of 1870, is hereby amended so as to read as follows:

"§ 8. In case any vacancy shall occur in the office of commissioner of police of said village the same shall be filled in the same manner as an original appointment and from the same political party to which the commissioner whose place is to be filled belonged.

"§ 6. The term of office of the commissioners of police in office at the time of the passage of this act shall terminate upon the appointment and qualification of the commission provided by this act.

"§ 7. Section 23 of said chapter 496, Laws of 1870, is hereby amended so as to read as follows:

"§ 23. The policemen who shall be in service in said village of West Troy at the time of the passage of this act shall continue in office until the first Monday in June, eighteen hundred and ninety-four, but no longer, unless they shall be appointed by the board of police herein provided to be created.

"§ 8. This act shall take effect immediately."

JOHN M. CHAMBERS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Harrigan, Int. No. 997, entitled "An act in relation to the exemption of the real property of religious and educational corporations and asso-

ciations and public schools in the village of White Plains, Westchester county, from assessments for construction of sewers," reported in favor of the passage of the same with the following amendment:

Page 1, line 2, after the word "organized" insert the word "exclusively."

JOHN H. CHAMBERS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 201, entitled "An act to authorize the villages of the State of New York to furnish electric light or gas light to the inhabitants thereof," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. McNamee, Int. No. 1240, entitled "An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Lexow, Rec. No. 124, entitled "An act to amend sections 1 and 8 of title 4, and section 1 of title 5 of chapter 228 of the Laws of 1891, entitled 'An act to amend chapter 152 of the Laws of 1881, entitled An act to amend chapter 188 of the Laws of 1877, entitled An act to amend chapter 385 of the Laws of 1867, entitled An act to incorporate the village of Warwick,' as amended by chapter 481 of the Laws of 1872, and section 1 of chapter 303 of the Laws of 1873," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Higgins, Int. No. 52, entitled "An act to authorize the Dunkirk and Fredonia Railroad Company to supply light, heat, power, steam and

electricity to persons or corporations renting buildings or rooms of and from the said company located on its power-house premises in the village of Fredonia, and also to supply the inhabitants with the same and to receive pay therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Taylor, from the committee on public health, to which was referred the bill introduced by Mr. Braun, Int. No. 1199, entitled "An act to amend chapter 248 of the Laws of 1875, entitled 'An act in relation to the coroners' office and post mortem examiners,'" reported in favor of the passage of the same with the following amendments:

Page 2, line 3, strike out the words "board of supervisors" and insert the words "two coroners."

Page 3, line 5, strike out the words "at no time shall there be." Same page, strike out all of line 6.

JAMES TAYLOR,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hobbie, from the committee on insurance, to which was recommitted the bill introduced by Mr. Wray, Int. No. 942, entitled "An act to amend chapter 690 of the Laws of 1892, entitled 'The insurance law,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Hobbie, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Mullin, Rec. No. 234, entitled "An act to amend chapter 690 of the Laws of 1892, known as 'The insurance law,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

The hour having arrived,

Mr. Speaker announced that, pursuant to law and agreeable to a resolution heretofore adopted, the Assembly would proceed to nominate a candidate for the office of Regent of the University, to fill the vacancy caused by the death of Francis McNierny.

The Assembly thereupon proceeded to nominate a candidate,

when each member, as his name was called, arose in his place and nominated as follows:

FOR SYLVESTER MALONE.

Ainsworth	Friday	Kern	Robson	Terry, J.F.
Babcock	Fuller	Lawson	Scanlon	Thompson
Baker	Gardiner	Lee	Schoepflin	Thornton
Braun	Gerst	Lounsbury	Schulz, F.F.	Tilton
Brownell	Glenn	Matthews	Seibert	Tuttle
Burtis	Gould	Melody	Sheffield	Vacheron
Chambers	Gray	Messiter	Sherwood	Van Amber
Clark, F.E.	Higbie	Nixon	Smith, M.F.	Wells
Clark, J. H.	Hobbie	O'Grady	Smith, S.W.	Whittet
Cutler	Hoefer	Parkhurst	Snyder	Wieman
Dean	Horton	Porter	Stevens	Wilcox
Denniston	Hotaling	Prescott	Stewart	Wray
Eldredge	Howe	Rider, J.J.	Stone	Wyckoff
Fairbrother	Keck	Robbins	Taylor	Speaker
Fish	Kelsey	Robertson	Terry, C.W.	74

FOR EUGENE KELLEY.

Berry	Coughlin	Hennessy	McKeon	Schillinger
Brennan	Davidson	Herrman	McNamee	Southworth
Bush	Dinkelspiel	Hoysradt	Mittnacht	Stadtfeld
Butts	Douglas	Keenan	O'Donnell	Stein
Cahill	Dowling	Kerr	Plant	Sulzer
Callahan	Finnigan	Kerrigan	Reilly	Tobin
Carroll	Foley	Lasch	Robinson	Trainor
Chapman	Gleason	Loonan	Roche	Vehslage
Corrigan	Harrigan	McDermott	Ryder, E.L.	44

A quorum having voted, and a majority having named Sylvester Malone, of the city of Brooklyn, in the county of Kings, as their choice,

Mr. Speaker announced that Sylvester Malone had been duly nominated on the part of the Assembly for the office of Regent of the University to fill the vacancy caused by the death of Francis McNierny.

Messrs. Parsons and Ahearn, a committee on the part of the Senate, appeared in the Assembly chamber and announced that the Senate had completed their nomination for Regent of the University, and were prepared to meet the Assembly in joint convention to compare nominations.

Mr. Thornton offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed to wait upon the Senate and inform that body that the Assembly have made nominations for the office of Regent of the University, and are prepared to meet the Senate in joint convention to compare nominations.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Thornton and Dowling.

Mr. Thornton, from the committee appointed to wait upon the Senate and inform that body that the Assembly was prepared to meet in joint convention, reported that the committee had performed that duty.

The hour of 12 o'clock having arrived, pursuant to a joint resolution of the Senate and Assembly, the Senate appeared in the Assembly Chamber.

The President of the Senate, upon taking the chair, announced that the Senate and Assembly were in joint convention for the purpose of electing a Regent of the University in place of Francis McNierny.

The Clerk of the Senate read the journal of the Senate.

The Clerk of the Assembly read the journal of the Assembly.

The nominations having been found to agree, the President of the Senate announced and declared that Sylvester Malone of the city of Brooklyn, county of Kings, was elected Regent of the University in place of Francis McNierny.

The Senate having retired from the Assembly Chamber,

Mr. Speaker announced that on the meeting of the Senate and Assembly to compare nominations for the office of Regent of the University, the nomination of the two houses were found to agree, and that, as declared by the President of the Senate, Sylvester Malone, of the city of Brooklyn, county of Kings, was elected in place of Francis McNierny, deceased.

Mr. Parkhurst, from the committee on railroads, to which was referred the bill introduced by Mr. J. F. Terry, Int. No. 895, entitled "An act to fix and regulate the rate of fare to be charged by the Troy City Railway Company," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Parkhurst, from the committee on railroads, to which was

referred the bill introduced by Mr. Kern, Rec. No. 862, entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Parkhurst, from the committee on railroads, to which was referred the bill introduced by Mr. Matthews, Int. No. 1084, entitled "An act to amend the railroad law," reported in favor of the passage of the same, with the following amendments :

Page 2, line 6, strike out the word "fifty" and insert the word "thirty-five."

Same page, line 13, after the word "constructed" insert the words "or operated."

W. L. PARKHURST,

Chairman.

Which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

By unanimous consent,

Mr. Sulzer introduced a bill entitled "An act to amend chapter 529 of the Laws of 1884, entitled 'An act to make provision for a public park in the seventh ward in the city of New York, including therein all necessary alterations of the map or plans of said city, the acquisition of land for said park and the payment of all expenses connected therewith from moneys to be raised by bonds, taxes and assessments for local improvements,' passed June 14, 1884" (Int. No. 1350), which was read the first time and referred to the committee on affairs of cities.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Hoysradt, Int. No. 603, entitled "An act making an appropriation for the payment of the actual expenses of travel incurred in the performance of their duty by the State game and fish protectors while engaged in the discharge of their duties," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Denniston, Int. No. 808, entitled "An act relative to defraying the expenses of operating the lift and swing bridges along the lines of the State

canals," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Fish, Int. No. 1135, entitled "An act reappropriating an unexpended balance of certain moneys appropriated by chapter 726 of the Laws of 1893, for a duplicate pump for water supply for the St. Lawrence State hospital, for other purposes," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1094, entitled "An act to appropriate money for the support of the insane under the provision of chapter 126 of the Laws of 1890, and 214 of the Laws of 1893," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Hobbie, Int. No. 362, entitled "An act to improve a certain highway in the town of Greenwich, Washington county, and making an appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Hobbie, Int. No. 1069, entitled "An act making appropriation for the construction and repair of a stone wall in the village of Fort Edward, located on south Broadway near the aqueduct of the Champlain canal," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Sulzer, Int. No. 1247, entitled "An act to provide factory inspectors and deputy factory inspectors with badges," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to

which was referred the bill introduced by Mr. Whittet, Int. No. 854, entitled "An act to provide for the removal of the bridge over the Erie canal at Porter avenue, in the city of Buffalo, to Jersey street, in said city, and for the construction of a new bridge at Porter avenue, in said city," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 102, entitled "An act making an appropriation to pay for the construction of a sewer under the Oswego canal in the village of Fulton, New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Sulzer, Int. No. 1182, entitled "An act to amend section 4 of chapter 399 of the Laws of 1892, 'An act in relation to taxable transfers of property,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Stone, Int. No. 49, entitled "An act authorizing the Superintendent of Public Works to remove the bridge now spanning Erie canal at Main street in the village of Fairport," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Gardiner, Int. No. 740, entitled "An act authorizing and empowering the Superintendent of Public Works to construct a lift-bridge or hoist-bridge over the Erie canal in the village of Canajoharie," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 264, entitled "An act making an appropriation for the

construction of a drain in the village of Whitesboro, Oneida county," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 105, entitled "An act to provide for the completion of spiling, widening, raising and reconstructing the highway leading east and west across the head of Owagena lake, in the town of Cazenovia, Madison county, and making an appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 24, entitled "An act to authorize and direct the State Engineer and Surveyor to prepare plans, specifications and estimates for a complete overhauling or renewal of the West Main street lift-bridge over the Erie canal, in the city of Rochester, and making an appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 10, entitled "An act making an appropriation for constructing a hoist-bridge over the Erie canal, on Geddes street, in the city of Syracuse," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Harrigan, Int. No. 934, entitled "An act to amend chapter 637 of the Laws of 1892, entitled 'An act to provide for the establishment of a reformatory for women,' and making an appropriation therefor," reported in favor of the passage of the same with the following amendments:

Page 1, strike out lines 6, 7 and 8.

Page 2, strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 and insert the following:

"§ 20. The sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated for the purposes of this act out any moneys in the treasury not otherwise appropriated. The

Treasurer of the State shall, on the warrant of the Comptroller, pay to the treasurer of the board of managers of said reformatory, such sums as may from time to time be required for the purchase of land, erection of buildings and furnishing the same, not to exceed during the year 1894 the sum of \$100,000, the balance of said appropriation for the erecting and furnishing of the said buildings to be paid by said Comptroller to the treasurer of said board of managers such sums as may be required, from time to time, to complete the erection of said buildings and the furnishing of the same, during the year 1895; such requirements being certified to the Comptroller by the said board of managers in writing, specifying, in items, the purpose for which the said sums are required."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Hoefler, Int. No. 796, entitled "An act making an appropriation for building a vertical wall on the berme side of the Erie canal in the city of Utica, between Gilbert street, in the city of Utica, and the Turner street bridge in said city of Utica," reported in favor of the passage of the same with the following amendments:

Page 1, line 3, strike out the word "from" and insert the word "between."

Same page, line 4, strike out the word "to" and insert the word "and."

Same page, line 6, erase the word "twenty" and insert the word "ten."

Page 2, after line 3, insert the following section:

"§ 3. The work herein authorized shall be performed in accordance with plans, specifications and estimates to be furnished and approved by the State Engineer and Surveyor."

Same page, line 4, change the number of section 3 to section 4.

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. J. F. Terry, Int. No. 152, entitled "An act authorizing the construction of an iron bridge over the Champlain canal at North street, in the village of Mechanicville, Saratoga county, and abutments and approaches

thereto, and making an appropriation therefor," reported in favor of the passage of the same with the following amendment:

Page 1, line 8, strike out the word "eight" and insert the word "seven."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

On motion of Mr. Wray, the committee on public health was discharged from the further consideration of Senate bill No. 633, entitled "An act in relation to the coroner's physician in the eastern district of the county of Kings" (Rec. No 215), and the same was referred to the committee on affairs of cities.

The bill (No. 1149) entitled "An act authorizing and empowering the board of trustees of the village of Canastota to cause a survey and map of the territorial limits of said village as extended by chapter 165 of the Laws of 1855, to be made, verified and filed" (Int. No. 1015), having been announced for a third reading,

On motion of Mr. Roche, said bill was laid aside.

The bill (No. 886) entitled "An act concerning the probate of the wills of non-residents" (Int. No. 815), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 91 }
} NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keenan	O'Grady	Stadtfeld
Babcock	Dowling	Keleher	Plant	Stein
Baker	Eldredge	Kelsey	Porter	Stewart
Berry	Fairbrother	Kerr	Prescott	Stone
Brennan	Fish	Kern	Rider, J.J.	Terry, C.W.
Burtis	Foley	Lasch	Robbins	Terry, J.F.
Bush	Friday	Lawson	Robertson	Thompson
Butts	Fuller	Lee	Robinson	Thornton
Carroll	Gleason	Loonan	Robson	Tilton
Chambers	Gould	Marrin	Roche	Tobin
Chapman	Gray	McDermott	Scanlon	Tuttle
Clark, F.E.	Herrman	McKeon	Schillinger	Vacheron

Clark, J. H.	Hoefler	McNamee	Schoepflin	Van Amber
Corrigan	Horton	Melody	Schulz, F.F.	Vehslage
Coughlin	Houghton	Messiter	Sheffield	Wells
Davidson	Howe	Mittnacht	Sherwood	Whittet
Dean	Hoysradt	Nixon	Smith, M.F.	Wieman
Denniston	Keck	O'Donnell	Southworth	Wilcox
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Southworth called from the table the bill (No. 337) entitled "An act to amend the Code of Civil Procedure, relative to receivers' commission and the lawful expenses of persons required by law to give bonds." (Int. No. 328.)

Said bill having been announced for a third reading,

On motion of Mr. Southworth, and by unanimous consent, the same was amended as follows:

Section 1, lines 11 and 12, strike out the words "per annum."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Plant	Southworth
Babcock	Fairbrother	Kerr	Porter	Stadtfeld
Baker	Fish	Kerrigan	Prescott	Stein
Brownell	Friday	Lasch	Rider, J.J.	Stewart
Bush	Fuller	Lawson	Robbins	Taylor
Butts	Gerst	Lee	Robertson	Terry, C.W.
Callahan	Gleason	Lounsbury	Roche	Thompson
Carroll	Gould	Marrin	Scanlon	Tilton
Chambers	Gray	Matthews	Schillinger	Tuttle
Chapman	Herrman	McDermott	Schulz, F.F.	Vacheron
Clark, F.E.	Higbie	McNamee	Seibert	Van Amber
Clark, J. H.	Hobbie	Melody	Sheffield	Vehslage
Corrigan	Hoefler	Messiter	Sherwood	Whittet
Coughlin	Horton	Mittnacht	Smith, M.F.	Wieman
Cutler	Hotaling	Nixon	Smith, S.W.	Wilcox
Dinkelspiel	Houghton	O'Donnell	Snyder	Wray
Dowling	Howe	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

At 12.30 o'clock p. m. Mr. Fish gave notice that in fifteen minutes he would move a call of the House.

The Senate bill (not printed) entitled "An act for the relief of Temple Israel of Harlem and authorizing it to use that name" (Int. No. 219), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Rider, J.J.	Stein
Babcock	Foley	Kerrigan	Robbins	Stewart
Baker	Friday	Lasch	Robertson	Stone
Braun	Fuller	Lawson	Robinson	Sulzer
Bush	Gerst	Lee	Robson	Taylor
Butts	Gleason	Lounsbury	Roche	Terry, C.W.
Callahan	Glenn	Loonan	Scanlon	Terry, J.F.
Carroll	Gould	Marrin	Schillinger	Thompson
Clark, F.E.	Gray	McDermott	Schoepflin	Thornton
Clark, J. H.	Harrigan	McNamee	Schulz, F.F.	Tilton
Cutler	Herrman	Melody	Seibert	Tuttle
Davidson	Higbie	Mitnacht	Sheffield	Vacheron
Dean	Hoetler	Nixon	Sherwood	Van Amber
Denniston	Horton	O'Donnell	Smith, M.F.	Vehslage
Dinkelspiel	Hotaling	O'Grady	Smith, S.W.	Wells
Dowling	Howe	Plant	Snyder	Whittet
Eldredge	Keleher	Porter	Southworth	Wilcox
Fairbrother	Kerr	Prescott	Stadtfeld	Wray
Finnigan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 24) entitled "An act to facilitate travel upon elevated railroads in the city of New York" (Int. No. 26), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kerrigan	Robbins	Stewart
Babcock	Finnigan	Lasch	Robertson	Stone
Baker	Fish	Lawson	Robinson	Sulzer
Berry	Foley	Lee	Robson	Taylor
Braun	Gerst	Lounsbury	Roche	Terry, C.W.
Brownell	Gould	Loonan	Scanlon	Thompson
Butts	Gray	Marrin	Schillinger	Thornton
Carroll	Harrigan	McDermott	Schoepflin	Tilton
Chapman	Hennessey	McKeon	Schulz, F.F.	Tobin
Clark, J. H.	Herrman	McNamee	Seibert	Tuttle
Cutler	Hotaling	Melody	Sheffield	Vacheron
Davidson	Howe	Mittnacht	Smith, M.F.	Van Amber
Dean	Keenan	Nixon	Smith, S.W.	Vehslage
Denniston	Keleher	O'Grady	Snyder	Wells
Dinkelspiel	Kelsey	Plant	Southworth	Whittet
Dowling	Kerr	Porter	Stadtfeld	Wieman
Eldredge	Kern	Rider, J.J.	Stein	Wray

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish called from the table Senate bill (No. 211) entitled "An act to repeal sections 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of chapter 453 of the Laws of 1889, entitled 'An act in relation to local improvements in towns having a total population of 4,000 inhabitants, exclusive of any incorporated city or village therein and adjoining a city having a population of over 1,000,000,' as amended by chapter 417 of the Laws of 1893" (Rec. No. 64), previously laid aside on the order of third reading.

Pending the consideration of said bill,

A message from the Governor, by the hands of his private secretary, was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
 ALBANY, *March 29, 1894.* }

To the Assembly :

Assembly bill No. 735, entitled "An act to amend chapter 83 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing social and local laws affecting public interests in the city of Brooklyn,' relating to supplies and repairs for the department of fire and the department of police and excise," is herewith returned without approval.

This bill relates to the purchase of supplies by the department

of police and excise, and the department of fire, in the city of Brooklyn without advertisement, when the expense thereof shall not at any one time exceed the sum of one thousand dollars. The measure substitutes the consent of the mayor for that of the common council as a necessary requisite to the purchase of such supplies. No satisfactory reason has been advanced before me why this power should be taken away from the common council, and my own judgment is that the tendency in recent years to deprive boards of aldermen of powers formerly bestowed upon them has been a positive detriment to municipal government by discouraging competent men from assuming the position of aldermen.

ROSWELL P. FLOWER.

On motion of Mr. Burtis, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *March 29*, 1894. }

To the Assembly :

Assembly bill No. 678, entitled "An act to legalize the acts of Thomas W. Cantwell as notary public," is herewith returned without approval.

Such acts as this tend to make public officials careless in the discharge of their duties. A notary public ought not to forget or be ignorant of the time of the expiration of his term of office. Such special legislation to correct the carelessness of notaries is inimical to the public interests.

ROSWELL P. FLOWER.

On motion of Mr. Ainsworth, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *March 29*, 1894. }

To the Assembly :

Assembly bill No. 286, entitled "An act to regulate the formation of school commissioners' districts in counties having cities in which there is a board of education," is herewith returned without approval.

The first section of this bill is substantially a re-enactment of chapter 414 of the Laws of 1883, which the Supreme Court at special term has held was void as an independent act. It is questionable, however, whether boards of supervisors should have the powers here proposed to be conferred upon them.

The chief objection to the bill, however, is that contained in the second section, which legalizes and confirms the acts of any

board of supervisors assumed to have been done pursuant to chapter 414 of the Laws of 1883. This provision is in effect an attempt to legalize the action of the board of supervisors of Jefferson county, a year or more ago, in redistricting the school commissioner districts of that county. The special term of the Supreme Court has declared the action of the board to have been illegal, and an appeal from that decision is now pending in the general term of the Supreme Court. Laws ought not to be enacted as a rule to affect pending litigation.

ROSWELL P. FLOWER.

On motion of Mr. Ainsworth, said bill and the accompanying message were laid upon the table.

The House then resumed the third reading of Senate bill No. 211, Int. No. 64.

Debate being had thereon,

Mr. Thornton moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
{ NOES 41 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Ryder, E.L.	Terry, J.F.
Babcock	Fuller	Lawson	Scanlon	Thompson
Baker	Gardiner	Lee	Schoepflin	Thornton
Braun	Gerst	Lounsbury	Schulz, F.F.	Tilton
Brownell	Glenn	Messiter	Sheffield	Tuttle
Burtis	Gould	Nixon	Sherwood	Vacheron
Chambers	Gray	O'Grady	Smith, M.F.	Van Amber
Clark, F.E.	Higbie	Parkhurst	Smith, S.W.	Wells
Clark, J. H.	Hobbie	Porter	Snyder	Whittet
Cutler	Hoesler	Prescott	Stein	Wieman
Dean	Horton	Rider, J.J.	Stevens	Wilcox
Denniston	Hotaling	Robbins	Stewart	Wray
Eldredge	Howe	Robertson	Stone	Wyckoff
Fairbrother	Keck	Robson	Terry, C.W.	Speaker
Fish	Kelsey			

Those who voted in the negative, were

Berry	Dinkelspiel	Keenan	McDermott	Roche
Brennan	Dowling	Keleher	McGuire	Schillinger

Butts	Finnigan	Kerr	McKeon	Southworth
Cahill	Foley	Kerrigan	McNamee	Stadtfeld
Callahan	Gleason	La Fetra	Melody	Sulzer
Carroll	Harrigan	Lasch	O'Donnell	Tobin
Chapman	Hennesy	Loonan	Reilly	Trainor
Corrigan	Herrman	Marrin	Robinson	Vehslage
Davidson				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. O'Grady rose to a question of personal privilege and stated as follows:

Mr. Speaker, I desire to rise to a question of personal privilege in regard to the statements of the gentleman from New York, Mr. Trainor. The gentleman from New York has seen fit to state that I agreed with some one to vote on this measure other than I have voted to-day. I say there is no truth in that statement. I received a letter the other day from a gentleman he named, asking me to oppose the bill of Senator Robertson. Not knowing what Senator Robertson's bill was, I replied that I had received the communication and would give the matter my attention and if possible give him the help he desired. There was no statement on my part, at all, that I would oppose this measure. I am surprised that the gentleman from New York should make the attack on me in this way. That is all I have to say.

Mr. Trainor rose to a question of personal privilege and stated as follows:

Mr. Speaker, I rise to a question of personal privilege to answer the gentleman from Monroe, Mr. O'Grady. In order that I may place myself right in making the statement I have made to the House to-day, I will now name the gentleman who is my authority, Mr. Henderson of Westchester, who saw your reply, pledging yourself against this bill. That is the only reason I have for making the statement.

Mr. O'Grady replied: I never heard of the gentleman. I do not know the gentleman and never saw him, and the statement is entirely false.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1417), entitled "An act relating to the Avenue A in the city of New York" (Int. No. 1128), reported the same with the recommendation that it be amended as follows:

Page 4, line 9, strike out the word "statute" and insert the word "act."

Same page, line 22, strike out the word "statute" and insert the word "act"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 853) entitled "An act making an appropriation for raising and lengthening the approach to Bullard's bridge in the county of Saratoga, and State bridge No. 108 in the county of Washington" (Int. No. 788), reported the same with the recommendation that it be amended as follows:

Page 2, line 3, strike out the word "treasury" and insert the word "treasurer."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1202) entitled "An act to amend chapter 203 of the Laws of 1881, entitled 'An act to authorize the burial of the body of any honorably discharged soldier, sailor or marine who shall hereafter die without leaving means sufficient to defray funeral expenses, and to provide a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State'" (Int. No. 1071), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the letter "s" from the word "sections"; also, strike out the words "and two."

Page 2, line 3, strike out all of the line after the word "eighty-five"

Same page, line 4, strike out the entire line.

Same page, line 5, strike out the word "are" and insert the word "is;" also, strike out the word "respectively" and the word "seven."

Same page, between lines 23 and 24 insert the following:

"§ 2. Section two of said act as amended by chapter 216 of the Laws of 1887, is hereby amended to read as follows:"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1231), entitled "An act to amend chapter 153 of the Laws of 1889, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,' in reference to the pension roll of the firemen's insurance fund" (Int. No. 1091), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "one hundred."

Same page, lines 2 and 3, strike out line 2, and also line 3, up to and including the word "chapter."

Page 2, line 1, strike out the word "effecting" and insert the word "affecting"; also, in same page, same line, after the word "Brooklyn," insert the words "as amended by chapter 153 of the Laws of 1889."

Same page, line 8, change the word "year" to "years."

Same page, line 14, after the word service insert a comma.

Same page, line 15, after the word "thereof" strike out the comma.

Same page, line 24, after the word "not" strike out the comma; also, in same page, same line, after "period" insert a comma."

Page 4, lines 8 and 12, underscore the word "monthly."

Amend the title by striking out all in line 1 after the word "chapter," also, lines 2 and 3 up to and including the word "chapter" in line 3.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1329) entitled "An act to supplement the provisions of section 20, title 2 of chapter 584 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and acts amendatory thereof, in relation to the board of estimate, by extending the benefits of such acts to certain institutions in the city of Brooklyn" (Int. No. 1173), reported the same with the recommendation that it be amended as follows:

Page 1, lines 2 and 3, add the letter "s" to the word "statement;" also, add the letter "s" to the word "estimate."

Page 2, line 3, capitalize the words "maternity," "infants" and "home."

Same page, line 4, capitalize the words "memorial," "training" "school" and "nurse."

Same page, line 6, capitalize the words "throat" and "hospital."

Same page, line 7, insert a semicolon after the word "low."

Same page, line 8, capitalize the word "sanitarium."

Same page, line 9, insert a semicolon after the word "low."

Same page, line 10, after the word "institutions" insert the word "respectively."

Same page, line 14, insert a comma after the word "comptroller."

Amend the title by changing the word "entitld" to "entitled" in line 4; also underscore the words "the provisions of section."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1305) entitled "An act to amend section 1525 of the Code of Civil Procedure" (No. 1146), reported the same with the recommendation that it be amended as follows:

Amend title so as to read as follows:

"An act to amend the Code of Criminal Procedure, relating to when the court must grant a new trial."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1308) entitled "An act to amend section 76 of chapter 410 of the Laws of 1882, relating to the clerk of the board of aldermen" (Int. No. 1151), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, strike out the word "passed."

Same page, line 5, strike out the words "July first, eighteen hundred and eighty-two."

Page 2, line 9, strike out the word "from" and insert the word "by."

Same page, same line, after the word "otherwise" insert a comma.

Same page, line 11, change the word "right" to "rights."

Same page, same line, after the word "powers" strike out the comma.

Amend the title so as to read as follows:

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the clerk of the board of aldermen."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1240) entitled "An act to provide for the completion and the care of the soldiers and sailors' monument in the city of Brooklyn, and to provide the means therefor" (Int. No. 1102), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, capitalize the words "grand," "army" and "republic."

Page 2, line 12, strike off the letter "s" from the word "commissioners."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1401) entitled "An act to amend title 2 of chapter 583 of the Laws of 1888, entitled "An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the appropriation of moneys by the board of estimate for certain purposes" (Int. No. 1137), reported the same with the recommendation that it be amended as follows:

Page 2, line 7, after the word "in" insert the word "the."

Amend the title by striking out the words "title two of" in the first line.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1330) entitled "An act to amend chapter

157 of the Laws of 1854, entitled 'An act to incorporate the village of Mohawk'" (Int. No. 1174), reported the same with the recommendation that it be amended as follows:

Page 2, line 24, after the word "tax," strike out the word "of" and insert the word "or."

Same page, line 25, after the word "collection" insert a period; also, in same page, same line, begin the word "if" with a capital letter "I."

Same page, lines 10, 11 and 3, underscore the word "required."

Amend the title by striking out the word "fifty" and inserting the word "forty" in line 2; also, after the word "Mohawk" insert a comma, also, insert the words "relating to sidewalks."

J. F. TERRY,

Chairman.

Which report was agreed to and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1267) entitled "An act to amend sections 1907 and 1908 of the Code of Civil Procedure, relating to libel" (Int. No. 836), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after "§ 1907" insert the words "when action for libel can not be maintained."

Page 2, line 3, after "§ 1908" insert the words "what defendant may set up in mitigation of damages."

Amend the title so as to read as follows:

"An act to amend the Code of Civil Procedure, relating to libel."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 887) entitled "An act to amend chapter 488 of the Laws of 1892, entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof'" (Int. No. 816), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "ninety-two" insert the words "entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York, and the different counties thereof.'"

Same page, line 5, after "§ 273" insert the words "powers of boards of supervisors."

Same page, line 9, strike out the word "in."

Page 2, line 11, strike out the words "of this state."

Amend the title so as to read as follows:

"An act to amend the game law, relating to application of ordinances of boards of supervisors."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1177) entitled "An act to amend an act entitled 'The Military Code,' being chapter 17 of the general laws" (Int. No. 1044), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the word "chapter" insert the words "five hundred and fifty-nine of the Laws of eighteen hundred and ninety-three, entitled 'An act in relation to the militia, constituting chapter.'"

Same page, line 2, after the word "laws" insert quotation marks.

Amend the title so as to read as follows:

"An act to amend the Military Code, relating to armories for the naval militia."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 905) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Mary Jane Charlton against the State, and to make an award therefor" (Int. No. 833), reported the same with the recommendation that it be amended as follows:

Page 1, lines 5 and 6, strike out the words "New York."

Same page, line 9, after the word "therefore" insert the word "as."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was

referred the bill (No. 1244) entitled "An act to provide for the selection, laying out, construction and maintenance of a public driveway and parkway, and for the acquisition of riparian rights in connection therewith in any county of this State which contains a city the population of which city is in excess of 800,000, and the boundaries of which city are not coterminous with those of said county, and also providing the means of payment thereof, and of maintenance thereof, and creating a department of parks for said county" (Int. No. 1106), reported the same with the recommendation that it be amended as follows:

Page 6, strike out all of line 5 after the word "chapter" down to and including the word "amended" in line 6.

Same page, line 6, strike out the quotation marks after the word "procedure."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1201), entitled "An act to amend chapter 507 of the Laws of 1889, entitled 'An act to authorize villages of the State of New York to establish water rates, and to collect the same,' and also to amend chapter 662 of the Laws of 1893" (Int. No. 1070), reported the same with the recommendation that it be amended as follows:

Page 1, lines 2 and 3, strike out the words "and section one of" and insert the words "entitled 'An act to authorize villages of the State of New York to establish water rates and collect the same,' as amended by."

Same page, line 4, strike out the word "are" and insert the word "is."

Same page, line 5, strike out the figure "2" and insert the figure "1."

Page 2, line 1, after the word "thereof" insert the words "may establish."

Same page, line 3, after the word "upon" insert the word "all."

Same page, line 6, insert a comma after the word "days."

Same page, line 15, strike out the figure "3" and insert the figure "2."

Amend the title by striking out all after the word "same" in line 5 and inserting the words "relating to scale of rates by assessment."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation :

“An act to provide for the payment of certain claims against the city of Brooklyn.” (No. 1325, Int. No. 1069.)

“An act to amend the Military Code by changing the chapter number thereof.” (No. 1087, Int. No. 977.)

“An act to amend chapter 756 of the Laws of 1871, entitled ‘An act to prevent the deposit of carrion, offal or dead animals in the North and East river, of the bay of New York, or Raritan bay, within the jurisdiction of the State of New York,’ and acts amendatory thereof and supplemental thereto.” (No. 230, Int. No. 232.)

“An act to amend chapter 304 of the Laws of 1892, entitled ‘An act to provide for the appointment of a board of water commissioners for the city of Albany.’” (No. 776, Int. No. 725.)

“An act making an appropriation for repairing the State armory at Auburn and enlarging its drill-room, and to provide for the exchange of certain portions of the armory lot for adjoining land, and for the acquisition of other adjoining land, and appointing a commission therefor.” (No. 326, Int. No. 317.)

“An act authorizing the construction of a wrought-iron bridge over the Erie canal at Griffith street in the city of Rochester, and making an appropriation therefor.” (No. 129, Int. No. 135.)

Ordered, That said bills be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1303) entitled “An act to authorize the completion of repairs to the State dam across the Mohawk river at Cohoes, and making an appropriation therefor” (Int. No. 1144), reported the same with the recommendation that it be amended as follows :

Page 1, line 4, after the word “thereto” insert a comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was

referred the bill (No. 815) entitled "An act to amend chapter 60 of the Laws of 1893, and entitled 'An act to provide for conveying the waters of Trout or Ensign brook under the Champlain canal at the Leland farm, in the town of Half Moon, Saratoga county, and making an appropriation therefor'" (Int. No. 749), reported the same with the recommendation that it be amended as follows:

Page 2, line 7, strike out the words "New York."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 828) entitled "An act to provide for repairs and improvement of the lift-bridge now over the Champlain canal at Broad street, in the town of Waterford, Saratoga county" (Int. No. 762), reported the same with the recommendation that it be amended as follows:

Page 2, line 9, strike out the comma after the word "treasury."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The privileges of the floor were extended to Messrs. Solomon Townsend, M. M. Acker and Andrew Tuck, former members of this House.

Leave of absence was granted to Mr. Whittet until Tuesday next.

Mr. J. J. Rider, presented a petition of citizens of Otsego county for amendment to section 267 of the Penal Code; which was referred to the committee on codes.

Mr. Matthews, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Howe, (Int. No. 1196), entitled "An act creating town boards for the purpose of adjusting assessments on real estate arising from unjust assessment," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill restored to its place on the order of second reading.

On motion of Mr. Ainsworth, the House adjourned.

FRIDAY, MARCH 30, 1894.

The House met pursuant to adjournment.

Prayer by Rev. J. W. Bennett.

On motion of Mr. Gould, the journal of yesterday was approved without being read.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

“An act to authorize the village of Springville to establish a system of electric lighting.” (No. 1106, Int. No. 855.)

“An act to amend section 3322 of the Code of Civil Procedure, relating to fees of justices of the peace.” (No. 702, Int. No. 509.)

“An act to provide for the payment of the salaries of the commissioners of excise of the city of Newburgh, in the county of Orange, and of all other incidental expenses of the board of excise of said city, out of the excise moneys received by said board.” (No. 715, Int. No. 670.)

“An act to amend chapter 214 of the Laws of 1888, entitled ‘An act to revise the charter of the city of Binghamton,’ and the several acts amendatory thereof.” (No. 999, Int. No. 914.)

“An act providing for a police justice and a police force for the village of Tonawanda, Erie county.” (No. 1185, Int. No. 1053.)

“An act to prevent persons unlawfully using or wearing the badge of the Union Veteran Legion in this State.” (No. 762, Int. No. 711.)

“An act to amend subdivision 7 of section 465 of the Code of Criminal Procedure, in relation to new trials.” (No. 144, Int. No. 150.)

“An act to amend the town law, in relation to special town meetings.” (Not printed, Int. No. 1279.)

“An act to amend chapter 61 of the Laws of 1894, entitled ‘An act to amend chapter 298 of the Laws of 1883, entitled An act to provide for the government of the city of Albany.’” (Not printed, Int. No. 1280.)

“An act to amend the public health law.” (No. 838, Int. No. 772.)

“An act to amend chapter 507 of the Laws of 1889, entitled ‘An act to authorize villages of the State of New York to establish water rates and collect the same.’” (No. 966, Int. No. 775.)

"An act to amend chapter 187 of the Laws of 1862, entitled 'An act to incorporate the board of foreign missions of the Presbyterian church in the United States of America,' and to regulate the number of trustees." (No. 848, Int. No. 783.)

"An act to amend chapter 89 of the Laws of 1883, entitled 'An act to revise and amend the articles of incorporation of the Young Men's Christian Association of Buffalo, relating to execution of mortgages.'" (No. 874, Int. No. 801.)

"An act to amend section 2127 of the Code of Civil Procedure, relating to proceedings for the voluntary dissolution of corporations." (No. 902, Int. No. 828.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, as amended :

"An act to amend chapter 159 of the Laws of 1869, entitled 'An act in relation to the Fireman's Benevolent Association of Buffalo, and to regulate the number of trustees thereof.'" (No. 845, Int. No. 780.)

"An act to legalize assessments for local improvements in the city of Amsterdam and to authorize reassessment therefor." (No. 683, Int. No. 373.)

"An act to amend the highway law, relating to application for commissioners and their decision in certain cases." (No. 192, Int. No. 191.)

"An act to amend chapter 453 of the Laws of 1887, entitled 'An act to incorporate the Rochester Homeopathic Hospital.'" (No. 393, Int. No. 387.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills :

"An act to amend the county law, relative to the general powers of the board of supervisors." (No. 312, Int. No. 303.)

"An act to amend the Code of Civil Procedure, relating to practicing attorneys in New York, Kings and Queens counties." (No. 543, Int. No. 227.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the following entitled bills :

"An act to amend the Penal Code, as amended by chapter 693 of the Laws of 1892, relative to elections" (No. 843, Rec. No. 274), which was read the first time and referred to the committee on codes.

"An act to amend the election law, being chapter 680 of the Laws of 1892" (No. 814, Rec. No. 272), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls'" (No. 498, Rec. No. 271), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 409 of the Laws of 1886, entitled 'An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same'" (No. 451, Rec. No. 273), which was read the first time and referred to the committee on ways and means.

"An act in relation to mines" (No. 628, Rec. No. 275), which was read the first time and referred to the committee on internal affairs.

"An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts" (No. 385, Rec. No. 270), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter 529 of the Laws of 1884, entitled 'An act to make provision for a public park in the Seventh ward in the city of New York, including therein all necessary alterations of the map or plan of said city, the acquisition of land for said park and the payment of all expenses connected therewith, from moneys to be raised by bonds, taxes and assessments for local improvements,' passed June 14, 1884" (No. 913, Rec. No. 26), which was read the first time and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill entitled "An act to legalize all assessments for local improvements heretofore made in the city of Watertown" (Int. No. 1327), which was read the first time and referred to the committee on affairs of cities.

Mr. E. L. Ryder introduced a bill entitled "An act to amend the stock corporation law" (Int. No. 1328), which was read the first time and referred to the committee on general laws.

Mr. Berry introduced a bill entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon'" (Int. No. 1329), which was read the first time and referred to the committee on affairs of cities.

Mr. E. L. Ryder introduced a bill entitled "An act conferring upon voters in municipal corporations the powers of legislation by direct vote" (Int. No. 1330), which was read the first time and referred to the committee on general laws.

Mr. Berry introduced a bill entitled "An act to incorporate the Fireman's Benevolent Fund Association of Mt. Vernon, N. Y." (Int. No. 1331), which was read the first time and referred to the committee on general laws.

Mr. Taylor introduced a bill entitled "An act in relation to referees" (Int. No. 1332), which was read the first time and referred to the committee on the judiciary.

Mr. McNamee introduced a bill entitled "An act to amend section 15 of chapter 687 of the Laws of 1892, entitled 'An act to amend the general corporation law'" (Int. No. 1333), which was read the first time and referred to the committee on general laws.

Mr. Thompson introduced a bill entitled "An act to amend chapter 689 of the Laws of 1892, as amended by chapter 440 of the Laws of 1893, being an act entitled 'An act in relation to banking corporations'" (Int. No. 1334), which was read the first time and referred to the committee on banks.

Mr. Schoepflin introduced a bill entitled "An act to provide for the incorporation of associations for loaning money on personal property" (Int. No. 1335), which was read the first time and referred to the committee on general laws.

Mr. Burtis introduced a bill entitled "An act to amend section 5 of chapter 447 of the Laws of 1892, entitled 'An act to amend chapter 366 of the Laws of 1878,' entitled 'An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church'" (Int. No. 1336), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Horton introduced a bill entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims arising from the grant by the State to Archibald McIntyre, individually, and as executor, and his successors in interests and subsequent grantees and owners and their personal representatives" (Int. No. 1337), which was read the first time and referred to the committee on claims.

Mr. Roche introduced a bill entitled "An act to provide for the issue of bonds for the extension of that portion of Van Cortland Park designated as a military parade, camp and drill grounds in

the city of New York" (Int. No. 1338), which was read the first time and referred to the committee on affairs of cities.

Mr. Ainsworth introduced a bill entitled "An act to amend section 22 of chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburgh,' as amended by chapter 70 of the Laws of 1881" (Int. No. 1340), which was read the first time and referred to the committee on public education.

Mr. Wray introduced a bill entitled "An act conferring jurisdiction upon the Board of Claims to ascertain the amount of the claim of Augustus Mackensie against the State and make an award therefor" (Int. No. 1341), which was read the first time and referred to the committee on claims.

Mr. Kern (by request) introduced a bill entitled "An act to authorize the village of Hamilton and the president and the board of trustees of said village to remove the remains of deceased persons from the old cemetery or burying ground in said village" (Int. No. 1342), which was read the first time and referred to the committee on affairs of villages.

Mr. Plant (by request) introduced a bill entitled "An act to amend chapter 398 of the Laws of 1875, passed May 20, 1875, entitled 'An act to amend an act entitled An act to authorize William Beard and others to erect, construct, build and maintain sea walls or break-water piers, docks, wharves, bulkheads, piers and warehouses, and a basin for commercial use in front of their lands in the Twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title passed April 13, 1866" (Int. No. 1343), which was read the first time and referred to the committee on commerce and navigation.

Mr. Trainor introduced a bill entitled "An act to amend chapter 555 of the Laws of 1885, entitled 'An act to regulate and fix the pay or compensation of members of the police force who are police surgeons or doormen in all cities of the State having, according to the last census, a population exceeding 800,000'" (Int. No. 1344), which was read the first time and referred to the committee on affairs of cities.

Mr. Bush introduced a bill entitled "An act for the relief of the Stickly & Diamonds Company" (Int. No. 1345), which was read the first time and referred to the committee on claims.

Mr. Gould introduced a bill entitled "An act to amend section

635 of the Code of Civil Procedure, relating to the granting of attachments in certain cases" (Int. No. 1346), which was read the first time and referred to the committee on codes.

Mr. O'Grady introduced a bill entitled "An act to amend the charter of the city of Rochester and to extend its boundaries" (Int. No. 1347), which was read the first time and referred to the committee on affairs of cities.

Mr. Plant introduced a bill entitled "An act in relation to Pierpont street and Remsen street in the city of Brooklyn" (Int. No. 1348), which was read the first time and referred to the committee on affairs of cities.

Mr. Cutler introduced a bill entitled "An act to amend chapter 277 of the Laws of 1889, entitled 'An act to amend chapter 420 of the Laws of 1880, entitled An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company'" (Int. No. 1349), which was read the first time and referred to the committee on commerce and navigation.

Mr. McDermott introduced a bill entitled "An act to amend sections 10 and 11 of chapter 269 of the laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710, 1936 of chapter 410 of the Laws of 1882,' entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city" (Int. No. 1351), which was read the first time and referred to the committee on affairs of cities.

Mr. Schoepflin introduced a bill entitled "An act to provide for a county auditor, and to regulate the purchase of supplies for the county institutions and offices of the county of Erie" (Int. No. 1352), which was read the first time and referred to the committee on internal affairs.

Also, a bill entitled "An act to amend chapter 231 of the Laws of 1876, relating to the office of supervisor in Erie county" (Int. No. 1353), which was read the first time and referred to the committee on internal affairs.

Mr. Hoysradt introduced a bill entitled "An act authorizing the improvement of lateral channels and the raising and repairing of certain State dykes along the Hudson river and making

an appropriation therefor" (Int. No. 1354), which was read the first time and referred to the committee on ways and means.

Mr. Eldredge introduced a bill entitled "An act to provide for making repairs and improvements to the Glens Falls feeder to the Champlain canal and making appropriation therefor" (Int. No. 1355), which was read the first time and referred to the committee on ways and means.

Mr. Coughlin introduced a bill entitled "An act to provide for the examination and licensing of locomotive engineers, firemen and hostlers" (Int. No. 1356), which was read the first time and referred to the committee on ways and means.

Mr. Cutler introduced a bill entitled "An act relating to the office of highway commissioner" (Int. No. 1357), which was read the first time and referred to the committee on general laws.

Mr. Butts introduced a bill entitled "An act for the relief of certain churches in the Twenty-third ward of the city of New York" (Int. No. 1358), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Kern introduced a bill entitled "An act to revise, amend and consolidate the several acts relating to the village of Oneida, and to repeal certain acts and part of acts" (Int. No. 1363), which was read the first time and referred to the committee on affairs of villages.

The Senate returned the bill (No. 595) entitled "An act to amend section 116 of title 2, chapter 3 of part 4 of the Revised Statutes, relating to State prisons" (Int. No. 559), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 6, after the word "hats" insert the words "or in making chairs or parts of chairs"; also, in same line, after the word "laundrying" insert the word "which."

Same section, line 17, after the word "of" insert the word "which."

Add a new section so as to read as follows:

"§ 2. This act shall not apply to or affect existing contracts."

Change section 2 to section 3.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	81	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Rider, J.J.	Stein
Babcock	Finnigan	Kern	Robbins	Stevens
Baker	Fish	La Fetra	Robertson	Stewart
Berry	Foley	Lasch	Robson	Sulzer
Brownell	Friday	Lawson	Roche	Taylor
Burtis	Fuller	Lee	Scanlon	Terry, C.W.
Butts	Gardiner	Lounsbury	Schillinger	Thompson
Carroll	Glenn	Marrin	Schoepflin	Thornton
Chambers	Gould	Messiter	Schulz, H	Tilton
Chapman	Hennessy	Mittnacht	Seibert	Tobin
Clark, J. H.	Higbie	Myers	Sheffield	Trainor
Cutler	Hobbie	Nixon	Sherwood	Tuttle
Davidson	Horton	O'Donnell	Smith, M.F.	Van Amber
Dean	Hotaling	O'Grady	Smith, S.W.	Vehslage
Denniston	Howe	Porter	Snyder	Wells
Dinkelspiel	Keck	Prescott	Stadtfield	Wilcox
Eldredge				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kerr, Int. No. 1123, entitled "An act to authorize the commissioners of the land office to grant all the interest of this State in certain lands formerly under the waters of the Hudson river, adjoining the village of Catskill, in the county of Greene, but which have been filled in," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 106, entitled "An act to amend chapter 315 of the Laws of 1884, entitled 'An act requiring contracts for the conditional sales of personal property on credit to be filed in the town clerk's and other offices,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. O'Grady, Int. No. 25, entitled "An act to enable the counties of this State to use the

Myers automatic ballot machine at elections therein," reported in favor of the passage of the following substitute therefor:

AN Act to enable the towns and cities of this State to use the Myers automatic ballot machine at all elections therein.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. The board of supervisors of any county within this state in which one-half or more of the towns therein shall have adopted the Myers automatic ballot machine, as authorized by chapter eighty-two, section two of the laws of eighteen hundred and ninety-three may at any annual session or special meeting called for that purpose, provide for the use of the Myers automatic ballot machine in such towns and in those thereafter so adopting the same; and it shall also be lawful for the common council of any city other than the cities of New York and Brooklyn, by a two-thirds vote, to determine upon the use of said Myers automatic ballot machines at all elections to be held within such city; and thereupon such ballot machines shall be used for the purpose of voting for all public officers, to be elected by the voters of the said city, or any part thereof, and upon all constitutional amendments, or propositions, or questions which may lawfully be submitted to such voters, and for registering and counting the ballots cast at such elections. But nothing in this section contained shall be construed as compelling the use of such ballot machines at an election of school officers of a city or village at which no other public officer is to be elected.

§ 2. Definitions.—The following terms as used within this act shall be construed to mean as follows:

Cabinet.—The Myers automatic ballot machine as a whole.

Voters' compartment.—That part of the ballot machine occupied by the voter in voting.

Counter compartment.—The closed portion of the ballot machine containing the automatic mechanical counters.

Counters.—The registering dials in the counter compartment.

Public counter.—The exposed dial at the front of the ballot machine which registers the total number of electors voting.

Partition plate.—The metal partition dividing the voters' compartment from the counter compartment.

Push knobs.—The knobs projecting from the partition plates into the voters' compartment and by which the elector registers his vote.

Keyboard.—The face of the partition plate within the voters' compartment.

Ballot frames.—The metallic frames within which the ballots are secured upon the keyboard.

Ballots.—The tabulated lists of offices and nominees respectively, therefor, or succinct statements of the constitutional amendments or other questions or propositions submitted, arranged vertically in pairs, successively captioned “for” and “against,” printed on cardboard or heavy paper and of dimensions, colors and type as herein specified to be placed within the ballot frames, posted at the polls and given the inspectors as in this act prescribed.

Ballot captions.—The headings upon which are printed the name or other appropriate designation of the party or other nominees, constitutional amendments, questions or propositions submitted to be placed in a frame provided therefor, upon the key-board above each vertical column of nominees, constitutional amendments, questions or propositions, and to correspond therewith in material and color.

Diagram poster.—A complete set of ballots and ballot captions forming a fac-simile of those upon the key-board and to be posted at the polls.

Counter labels.—The cards or labels placed in receptacles upon the face of the respective counters attached to the back of the partition plate within the counter compartment, having printed thereon the name of the nominee, or a statement of the amendment, question or proposition submitted, successively, following the words “for” and “against” placed directly opposite the corresponding name, amendment, question or proposition as it appears upon the face of the partition plate, within the voters’ compartment and being of the same material and color as its said opposite.

Instruction cards.—The directions as to method and manner of voting and statement of the penal provisions relating to the election code, and to be posted at the polls.

The word nominee, is to be construed to mean, any persons for whom an elector may vote at the election.

Town.—The word “town” as herein used shall be construed to mean such town as shall have adopted the Myers ballot machine as prescribed in section one.

City.—The word “city” as herein used, shall be construed to mean such city as shall have adopted the said ballot machine as prescribed in section one.

§ 3. Provisions for equipment of polling-place.—The town board of each town, and the common council of each city shall provide for each polling place, at each election, the necessary ballot machines in complete working order, with ballots, ballot captions, and counter labels in their proper places therein, and with the dials of the counters set nine thousand nine hundred and ninety-nine, guard-rails, inspectors’ table, and other furniture and equip-

ment of such polling place necessary for the lawful conduct of the election thereat and shall have in readiness each such polling place; put the inspectors of election in possession thereof, and deliver to them the keys of the ballot machine therein, at least thirty minutes before the opening of the polls at the election. The said board of each town and the common council of each city shall care for the ballot machine, furniture and equipment of the polling places when not in use at the elections.

§ 4. Arrangement of the polling place.—The ballot machines at each polling place shall be so placed as to be at least three feet from the wall of the room and at least three feet from the outer guard-rail. There shall be two guard-rails, called the outer and inner rails. The outer rail shall be so placed as to bar access to within three feet or more of the ballot machine, with openings or gateways therein leading to and from the inspectors' table, which shall be at least four feet from the ballot machines. The inner guard-rail shall extend to a point at or near the inspectors' table from a fixture on the ballot-machine placed between the entrance and exit doors. Such other guard-rails may be used as shall seem necessary or convenient. The ballot-machine and every part of the polling place, except the interior of the ballot-machine, shall be in plain view of the election officers and persons just outside the guard-rails.

§ 5. Providing ballots.—The county clerk of the county shall provide, at the county's expense, the requisite number of ballots, ballot captions, counter labels and instruction cards for each polling place in such town and city for each election to be held thereat, except town meetings and city and village elections and elections of school officers not held at the same time as the general election. If a city or village election or a town meeting for the election of public officers shall be held upon a different day from a general election, the clerk of such city, village or town shall provide, at the expense of such city, village or town, the requisite number of ballots, ballot captions, counter labels and instruction cards for each polling place. The ballots, ballot captions, counter labels and instruction cards shall be printed and in possession of the clerk charged with providing them and open to the public inspection four days before the election, except those for a village election or a town meeting held at a different day from the general election, shall be so printed, in possession and open to public inspection two days before such village election or town meeting.

§ 6. Description of ballot captions, ballots, counter labels, and instruction cards.—Ballot captions shall be of cardboard or heavy paper, four inches long by three and three-fourths inches wide and shall have printed thereon, in plain clear type as large

as the space will reasonably permit, the party or other appropriate designation of the nominees, amendments, questions or other propositions submitted. Ballots shall be of as many kinds as there are political parties or titles represented by certificates of nominations duly filed, or constitutional amendments, questions or other propositions submitted, and shall be of cardboard or heavy paper, three and five-eighths inches wide, spaced by cross lines one and eleven-sixteenths inches apart, between centers of lines, except the upper one should be thus spaced, four inches from the top and upon the ballot shall be printed in plain, clear type, not smaller than pica, the name of the office and under it the name of the candidate or nominee therefor in plain, clear type, known as great primer ionic, as large as the width of the ballot will permit, or a plain, concise statement of the amendment, question or proposition submitted under successive captions "for" and "against," with or without an index hand pointing (when placed in the ballot-frame) to the push knob used when voting by that ballot. Counter labels shall be of cardboard, or heavy paper, three-eighths of an inch wide by three inches long, upon which shall be printed the name or other suitable designation of the nominee, amendment, question or other proposition submitted. Should any party fail to make a nomination for an office, the ballot in that party's column upon the key-board on the horizontal line devoted to that office, shall be left blank and its push-knob to the right and opposite thereto shall be capped so as to be inoperative. Should two or more parties nominate the same person for the same office, his name shall be printed upon the ballot of the party which shall first nominate him, provided such nominee within two days after his second nomination, may by a written instrument acknowledged as deeds are required to be acknowledged for record, and filed with the county clerk of the county, designate which one of such political parties in whose column he desires his name to appear, and the county clerk shall prepare his ballot for that party, and the ballots of the other party or parties which shall have nominated him, shall be left blank for that office, and the corresponding push-knob or push-knobs to the right of and opposite thereto shall be capped so as to be inoperative. If two or more officers are to be elected to the same office for different terms, the term for which each is nominated shall be designated on the ballot. If, in any congressional district, one congressman is to be elected for a full term and another to fill a vacancy, the ballot containing the name of each nominee shall designate the congress for which he is nominated. The ballot captions, ballots and counter labels of the several political parties or other nominating bodies, and the ballots for and against constitutional amendments or other propositions or

questions, shall be distinguished from each other by distinctive colors; and, so far as is possible, the colors to be used to distinguish the candidates of the different political parties or other nominating bodies shall be those prescribed by the present usage of those towns in which such ballot machines have heretofore been used. The instruction cards shall state the prescribed colors of the party and other ballots, and ballot captions, and give a summary of the laws punishing violations of the election law, with such other information as shall seem pertinent and advisable.

§ 7. Number of ballot captions, ballots, counter labels, and instruction cards.—Four ballots of each kind shall be provided for each polling-place. Four instruction cards printed in English and four printed in such other language or languages as shall be prescribed by the board of supervisors of the county, shall be provided for each polling place. They shall be printed in clear type so as to be easily read. Four complete sets of ballot captions and two complete sets of counter labels shall also be provided for each polling place.

§ 8. Correction of mistakes.—Upon affidavit presented by any voter that an error or an omission has occurred in the printing of the ballots, ballot captions or counter labels, the supreme court or a justice thereof, may make an order requiring the county clerk or other officer or board charged with the duty in respect to which such error or omission occurred, to correct such error or show cause why it should not be corrected. The county clerk or other officer or board shall, on their own motion, correct any palpable error in the ballots, ballot captions, counter labels or instruction cards which can be corrected without interfering with their timely distribution.

§ 9. Distribution of ballots.—The county clerk charged with the duty of providing ballots, ballot captions, counter labels, and instruction cards, shall on Saturday before the election in which they are to be used, deliver to the clerk of each town and to the city clerk of each city in the county, the ballots, ballot captions, counter labels, and instruction cards, required for each polling place in such town or city. They shall be so delivered in two equal and similar sealed packages for each election district, each marked upon the outside thereof with the designation of the election district for which it is intended. Receipts, specifying the number and kind of packages, shall be given by each town and city clerk, and filed with the county clerk, who shall keep a record thereof, specifying the time and manner of the delivery. Each town and city clerk receiving such packages shall cause one of them to be delivered unopened and with its seals unbroken, to the inspectors of the election district marked thereon, at least

thirty minutes before the opening of the polls, and shall take a receipt from such inspectors, specifying and describing the package, which receipt shall be filed in the office of such clerk; from the contents of the other package he shall, not later than the day preceding the election, place, or cause to be placed, in the proper receptacles in each ballot-machine the ballot captions, ballots and counter labels in the order as officially published, and shall post instruction cards and diagram posters within the polling-room, accessible to voters, and set all labeled counters at ninety-nine hundred and ninety-nine. City and town clerks, charged with the duty of providing ballots, ballot captions, counter labels and instruction cards shall, in like manner, distribute them and take receipts therefor within their respective cities and towns. Such receipts shall be filed in the respective offices of the city and town clerks.

§ 10. Lost ballots.—If the ballots, ballot captions, counter labels or instruction cards shall not be furnished to the town or city clerk as required herein, or if after being furnished and delivered they, or any of them, shall be lost, destroyed or stolen, the clerk of such town or city shall cause other ballots, as nearly in the form as those lost, destroyed or stolen, as possible, captions, counter labels or instruction cards to be prepared, and deliver them to the inspectors of election in their several election districts, and the substituted ballots, ballot captions, counter labels or instruction cards shall be used at the election in the same manner, as near as may be, as those lost, destroyed or stolen. The inspectors may correct palpable errors therein and shall, in their statement of the election, specify such corrections as made by them.

§ 11. Preparation for voting.—The inspectors of election and the poll clerks shall meet at their respective polling places in each election district thirty minutes before the time of the opening of the polls therein. The inspectors shall choose one of their number chairman, if not already so chosen and present. They shall there have the ballots, ballot captions, counter labels and instruction cards, and shall break the package thereof, make and post conspicuously, and so as to be accessible, one or more diagram posters, two or more instruction cards and, if they shall be printed in different languages, at least two in each such language at said polling place. The diagram posters and instruction cards, so posted, shall not be taken down, torn, defaced or mutilated at such elections. The chairman shall retain one complete set of ballots, ballot captions, and counter labels for use within the ballot machine, if needed. The inspectors shall then enter the voters' compartment of the ballot machine through the entrance

door, and, if not already done, the chairman shall, in the presence of the inspectors, adjust and secure within the frames upon the keyboard the ballot captions, and ballots in the vertical numbered columns and to the left side of the push knobs of the same color as the ballots, and arranged in the same order as on the diagram posters. The chairman shall then, in an audible voice, read from the said columns consecutively, beginning with the column number one, the caption and the ballots thereunder, in the order that they appear on the keyboard. The inspectors shall see that all the names of the nominees for the same office appear and remain on the same horizontal lines, and that the ballots upon constitutional amendments, or other questions or propositions submitted, are arranged in pairs, successively captioned "for" and "against." The chairman shall then lock the bolt rod behind the lock button at the left side of the keyboard. The inspectors shall then leave the voters' compartment through the entrance door, and the authorized watchers may then inspect the interior of the voters' compartment, likewise entering and departing through the entrance door, which shall thereupon be closed and locked by the chairman. The chairman shall then fully open the sliding doors of the counter compartment, in the presence of the inspectors and watchers, and, if not already so done, set each and every labeled counter at 9,999, and announce that every counter is so set. The chairman shall then direct the two other inspectors to enter the voters' compartment, push in the push-knob of the uppermost ballot in column number one, and read aloud said ballot, whereupon the chairman shall insert in the receptacle of the counter thus indicated its counter label, if not already inserted, and shall audibly repeat the name, and, in substance, say his counter is labeled and that all its dials are set at zero. They shall thus continue until all the push-knobs in column number one have been pushed in. One of the inspectors shall then go out through the exit door, thus releasing the push-knobs. The inspectors shall then re-enter the ballot machine, and they shall proceed with the remaining columns in all respects as with column number one. The two inspectors shall then leave the voters' compartment simultaneously, one going out through the exit door, the other through the entrance door. They shall all then see that the counter labels are in the same relative position opposite their respective ballots, and that all the dials stand at zero. The chairman shall then adjust the public counter at zero. The counter compartment shall then be locked.

§ 12. Duties of inspectors.—During the time that the polls are open the chairman, or one of the inspectors, shall be stationed at the entrance door of the ballot-machine to act as doorkeeper.

§ 13. Voting.—The polls being open, the voters shall pass

through the opening in the outer guard-rail singly or in single file, and keeping in file, proceed to the inspectors' table. If the voter shall be found to be entitled to vote, the doorkeeper shall admit him to the ballot-machine through the entrance door, which shall be immediately closed and kept closed until said voter shall have come out through the exit door, and said exit door is entirely closed. The voter may be challenged at any time before he enters the ballot-machine.

§ 14. Disabled voters.—Any voter who shall be totally blind, without the use of either hand sufficient to push the knobs, or physically unable to enter or leave the ballot-machine without assistance, may choose from the inspectors or poll clerks, an assistant, who shall be admitted to the ballot-machine with him. The person so selected shall not, in any manner, request or seek to persuade or induce such voter to vote any particular ballot or for any particular nominee, amendment, question or proposition, and shall not reveal how such disabled voter voted, or what occurred within the ballot machine. After voting, one shall come from the ballot-machine through the entrance door first, the other through the exit door last. The name of the assistant shall be noted on the registers and poll-lists, opposite the name of the disabled voter and also the character of the disability. Intoxication, inability to read and write, and mental disability shall not be regarded as physical disability. Such physically disabled voter may be examined under oath administered by any inspector as to his disability, and if he knowingly testify falsely, he shall be guilty of perjury and punishable therefor.

§ 15. Time of voting.—No voter shall remain within the ballot-machine longer than one minute. If he do so, he shall be requested to leave the ballot-machine, and if he refuse, he shall be removed, and the inspectors may call for such aid as shall be needed so to do.

§ 16. Instructing voter within the ballot-machine.—In case any voter within the ballot-machine shall ask the doorkeeper any question concerning the manner of voting, the doorkeeper shall summon another inspector of a party other than his own, and the question shall then be answered in the presence of both such inspectors; but under no circumstances shall advice be given as to how or for whom the voter shall vote.

§ 17. Canvassing the vote.—As soon as the polls are closed, the entrance door of the ballot machine shall be locked. The inspectors shall then, in the presence of the watchers, unlock and open the sliding doors of the counter compartment, only so far as to fully expose the full width of the wire-meshed guard door. The chairman shall read or announce, reading from left to right, the result in an audible voice to the others, as shown by the dials and

they shall each and all observe and record the total number of votes registered for each respective candidate and upon each constitutional amendment, question, or other proposition as registered and declared by such ballot machine register, and such ascertainment of the results shall be deemed to be the canvassing of the votes cast at such election. The wire-meshed guard door shall not be unlocked or opened at any time during the canvass; that there shall be no change made in any part of the ballot machine. They shall then close and lock the counter compartment doors and shall observe and record the total number of voters who have voted in the ballot machine by transcribing the number shown by the dials of the public counter.

§ 18. Certified statement.—Upon the completion of the canvass, the inspectors shall make and sign a written statement thereof, showing the date of the election, number of the district, the town or ward and the county in which it was held, the whole number of votes cast for each office, the whole number cast for each nominee for such office and the whole number cast, respectively, for and against each constitutional amendment, question, or other proposition submitted. Copies shall be made and filed and proclamation of the result of the election made as now required by the election law.

§ 19. Ballot clerks.—No ballot clerks shall be elected or appointed in any town or city that shall have adopted the use of the ballot machine.

§ 20. Election law.—The provisions of the election law, not inconsistent with this chapter shall apply with full force to all towns and cities adopting the use of the ballot machine.

§ 21. Additional ballot machines.—Nothing herein contained shall prevent the use of more than one ballot machine in any polling place during an election.

§ 22. Mistakes and omissions.—A departure in matters of form or method from those prescribed herein not tending to prejudice the substantial rights of the voter, shall be disregarded, and the provisions of this chapter shall be liberally construed to effect the objects of the law.

§ 23. The counties of New York and Kings are excepted from the provisions of this act.

§ 24. This act shall take effect immediately.

HOWARD THORNTON,
Chairman.

Which report was agreed to, and said bill ordered reprinted, as substituted, and restored to its place on the order of third reading.

Mr. Thornton, from the committee on the judiciary, reported a bill, not printed, Int. No. 1365, entitled "An act to amend the

election law, in relation to primaries," which was read the first time and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheffield, Int. No. 1188, entitled "An act to authorize the sale of certain lands and premises situated in the city of New York, which were devised by James Ewing Cooly to his executors in trust," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. H. Clark, Int. No. 1268, entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' " reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Carroll, Int. No. 1117, entitled "An act to amend chapter 297 of the Laws of 1885, entitled 'An act for the preservation of the public health and the registration of vital statistics in the city of Albany,' " reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dinkelspiel, Int. No. 1130, entitled "An act to further amend section 66 of chapter 410 of the Laws of 1892, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 118 of the Laws of 1889, in relation to the publication of notices in proceedings to acquire lands or interests thereon in said city," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Grady, Int. No. 1282, entitled "An act to establish a pension fund for the paid fire department of the city of Rochester, New York," reported in favor of the

passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Davidson, Int. No. 1224, entitled "An act to amend section 475 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the construction of buildings," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sulzer, Int. No. 1350, entitled "An act to amend chapter 529 of the Laws of 1884, entitled 'An act to make provision for a public park in the Seventh ward in the city of New York, including therein all necessary alterations of the map or plan of said city, the acquisition of land for said park and the payment of all expenses connected therewith, from moneys to be raised by bonds, taxes and assessments for local improvements, passed June 4, 1884,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Sulzer Senate bill No. 913, Rec. No. 269, same subject and title, was substituted for said bill.

Mr. Sulzer asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Robbins	Stone
Babcock	Dinkelspiel	Keck	Robertson	Sulzer
Baker	Eldredge	Kelsey	Robson	Taylor

Berry	Fairbrother	Kerr	Roche	Terry, C.W.
Brennan	Finnigan	La Fetra	Scaulon	Thompson
Brownell	Fish	Lasch	Schillinger	Thornton
Burtis	Foley	Lawson	Schulz, F.F.	Tilton
Butts	Friday	Lee	Schulz, H	Tobin
Callahan	Fuller	Marrin	Seibert	Trainor
Carroll	Gardiner	McNamee	Sheffield	Tuttle
Chambers	Glenn	Melody	Sherwood	Van Amber
Chapman	Gould	Mittnacht	Smith, M.F.	Vehsiage
Clark, F.E.	Hennessy	Myers	Smith, S.W.	Wells
Clark, J. H.	Herrman	O'Grady	Snyder	Wieman
Cutler	Higbie	Porter	Stadtfeld	Wilcox
Davidson	Hobbie	Prescott	Stein	Wray
Dean	Hotaling	Rider, J.J.	Stewart	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Braun, from the committee on printed and engrossed bills reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 342 of the Laws of 1885, entitled 'An act for the better security of mechanics, laborers and others who perform labor or furnish material for buildings and other improvements in the several cities and counties of the State and to repeal certain acts and parts of acts,' and acts amendatory thereof." (Int. No. 1134.)

"An act to authorize the town of Flatlands, Kings county, to sell and convey certain real property therein owned by said town to the First Methodist Protestant church in said town." (Int. No. 1165.)

"An act to amend chapter 491 of the Laws of 1892, entitled 'An act in relation to jurors, and to the appointment and the duties of a commissioner of jurors in the county of Westchester.'" (Int. No. 1115.)

"An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provision for the celebration of Memorial Day, including the year 1893.'" (Int. No. 1116.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of police and excise and police surgeons." (Int. No. 1111.)

“An act to amend the election law, relating to addition and cancellation of names on registry lists.” (Int. No. 1088.)

“An act to amend the Code of Criminal Procedure, relating to witness fees.” (Int. No. 1119.)

“An act to amend chapter 517 of the Laws of 1889, entitled ‘An act to establish a normal and training school at the village of Plattsburgh, in the county of Clinton, and to make an appropriation therefor,’ relating to the board of managers.” (Int. No. 1017.)

“An act to legalize the grant of land under water, heretofore made by the commissioners of the land office of the State of New York to the village of Tonawanda.” (Int. No. 207.)

“An act with reference to the removal and appointment of heads of departments in the city of New York.” (Int. No. 434.)

“An act to repeal section 4 of title 18 of chapter 583 of the Laws of 1888, entitled ‘An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,’ in relation to contracts for supplying the public lamps with gas.” (Int. No. 1103.)

“An act to amend chapter 323 of the Laws of 1887, entitled ‘An act in relation to the labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise.’” (Int. No. 608.)

“An act to place fire hydrants and lay the necessary mains in connection therewith in the city of New York.” (Int. No. 1129.)

“An act to amend chapter 583 of the Laws of 1888, entitled ‘An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, relating to arrears.’” (Int. No. 1161.)

“An act to amend chapter 410 of the laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ relating to the street cleaning service in said city.” (Int. No. 1092.)

“An act to amend chapter 205 of the Laws of 1890, entitled ‘An act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States,’ and to reappropriate an unexpended balance of appropriation heretofore made to carry out the provisions of said act.” (Int. No. 1187.)

"An act to prevent the pollution of the Oswegatchie river and the water supply of the city of Ogdensburg." (Int. No. 1069.)

"An act to incorporate the Saint Lawrence Electric Townsite Company, to define its rights, powers and privileges, and for other purposes." (Int. No. 1023.)

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 614, entitled "An act to amend chapter 107 of the Laws of 1879, entitled 'An act relating to rural cemetery associations'" (Rec. No. 180), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 44, entitled "An act to provide for the payment of rent for certain buildings in Long Island City, used for educational purposes by said city," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Mullin, Rec. No. 235, entitled "An act to amend section 23 of chapter 39 of the Laws of 1853, as amended by chapter 679 of the Laws of 1871, to be entitled 'An act to supply the city of Watertown with pure and wholesome water, and for other purposes,'" reported in favor of of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Guy, Rec. No. 233, entitled "An act to amend chapter 101 of the Laws of 1894, entitled 'An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annual certain assessments and sales to the mayor, alderman and commonalty of the city of New York, for assessments affecting property in the city of New York, and directing the comptroller to make such assessments

accordingly," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Mullin, Rec. No. 248, entitled "An act to amend certain sections of chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled An act to incorporate the city of Ogdensburg,' and the acts amending the same," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cantor, Rec. No. 250, entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine the claim of George W. Sauer, and to make appropriation for the same or any part thereof which shall be justly due," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Butts, Int. No. 1281, entitled "An act to amend chapter 537 of the Laws of 1893, entitled 'An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1837, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York, or otherwise,'" reported in favor of the passage of the same, with the following amendments:

Page 7, line 12, strike out the word "such" and insert the word "any."

Same page, line 13, change the word "fees" to "fee," and strike out the word "and" and insert the word "or;" also, strike out the word "shall" and insert the word "may."

Same page, line 16, after the word "any" insert the words "be made."

HAMILTON FISH,

Chairman.

Which report was agreed to.

Mr. Butts asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Robertson	Sulzer
Babcock	Dinkelspiel	Howe	Robson	Taylor
Baker	Eldredge	Keck	Roche	Terry, C.W.
Berry	Fairbrother	Kelsey	Scanlon	Terry, J.F.
Braun	Finnigan	Kern	Schillinger	Thompson
Brennan	Fish	Kerrigan	Schulz, F.F.	Thornton
Brownell	Foley	La Fetra	Schulz, H	Tilton
Burtis	Friday	Lasch	Sheffield	Tobin
Butts	Fuller	Lawson	Sherwood	Trainor
Cain	Gardiner	Marrin	Smith, M.F.	Tuttle
Carroll	Gerst	Melody	Smith, S.W.	Van Amber
Chambers	Glenn	Mittnacht	Snyder	Vehslage
Chapman	Gould	Myers	Southworth	Wells
Clark, F.E.	Hennessy	O'Grady	Stadtfeld	Wieman
Clark, J. H.	Herrman	Porter	Stein	Wilcox
Cutler	Higbie	Prescott	Stevens	Wray
Davidson	Hoefer	Rider, J.J.	Stewart	Speaker
Dean	Horton	Robbins		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cahill, Int. No. 1213, entitled "An act to open a certain part of State street in the city of Brooklyn, as laid down on the commissioners' map of said city, from the westerly side of Furman street to the river, and in relation to the improvements of said street," reported in favor of the passage of the same, with the following amendment:

Page 1, line 2, after the word "authorized" insert the words "in their discretion."

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Davidson, Int. No. 1225, entitled "An act to amend section 537 of chapter 492 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,' relating to the powers and duties of the health department of the city of New York," reported in favor of the passage of the same, with the following amendment:

Page 2, line 17, after the word "section" insert the words "Nothing herein contained shall in any manner repeal or interfere with the rights and remedies vested in the department of buildings of the city of New York or the superintendent himself, by virtue of chapter of the Laws of 1892."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Bradley, Rec. No. 165, entitled "An act relative to the New York and Brooklyn bridge," reported in favor of the passage of the same, with the following amendment:

Page 2, line 17, 18 and 19, strike out all from the word "such" down to and including the word "years."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mitnacht, Int. No. 360, entitled "An act to amend chapter 523 of the Laws of 1890, chapter 315 of the Laws of 1891, and chapter 418 of the Laws of 1892, being acts in relation to the sheriff of the city and county of New York and amendments thereto," reported in favor of the passage of the same, with the following amendments:

Page 2, line 9, after the word "sheriff" insert the word "other."

Same page, lines 15, 16 and 17, after the word "ninety-one" insert the words "and in section 3307 of the Code of Civil Procedure."

Same page, line 20, strike out the words "not exceeding eighteen," and insert the words "to the number of twelve; and

such additional number not exceeding fifteen, as from time to time the board of estimate and apportionment shall deem necessary."

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Burtis, Int No. 620, entitled "An act to amend section 699 of the Penal Code, in relation to criminal charges against children," reported in favor of the passage of the same, with the following amendments:

Page 1, line 10, after the word "crime" insert the words "other than a capital crime."

Same page, line 11, after the word "shall" insert the words "in the discretion of the court or magistrate."

W. C. PRESCOTT,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Speaker announced the calendar of the day.

The Senate bill (No. 671) entitled "An act authorizing and empowering the board of trustees of the village of Canastota to cause a survey and map of the territorial limits of said village as extended by chapter 165 of the Laws of 1855, to be made, verified and filed" (Rec. No. 268), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefler	Porter	Sulzer
Babcock	Denniston	Horton	Prescott	Taylor
Baker	Dinkelspiel	Hotaling	Rider, J.J.	Terry, C.W.
Berry	Douglas	Howe	Robbins	Terry, J.F.
Braun	Eldredge	Keck	Robson	Thompson
Brennan	Fairbrother	Kelsey	Roche	Thornton
Brownell	Finnigan	Kern	Scanlon	Tilton
Burtis	Fish	Kerrigan	Schillinger	Tobin

Butts	Foley	La Fetra	Schulz, H	Trainor
Cain	Friday	Lasch	Sheffield	Tuttle
Carroll	Fuller	Lawson	Sherwood	Van Amber
Chambers	Gardiner	Marrin	Smith, M.F.	Vehslage
Chapman	Gerst	McGuire	Smith, S.W.	Wells
Clark, F.E.	Gould	Melody	Snyder	Wieman
Clark, J. H.	Hennessy	Mittnacht	Stadtfeld	Wilcox
Cutler	Herrman	Myers	Stein	Wray
Davidson	Higbie	O'Grady	Stewart	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1212) entitled "An act to fix the places of judicial sale in the city of Brooklyn, county of Kings" (Int. No. 466), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 85 }
 } NOES 00 }

Those voting in the affirmative, were

Ainsworth	Dean	Horton	Porter	Stewart
Babcock	Denniston	Hotaling	Prescott	Sulzer
Baker	Dinkelspiel	Howe	Rider, J.J.	Taylor
Berry	Douglas	Keck	Robbins	Terry, C.W.
Braun	Eldredge	Keenan	Robson	Terry, J.F.
Brennan	Fairbrother	Kelsey	Roche	Thompson
Brownell	Fish	Kern	Scanlon	Thornton
Burtis	Foley	Kerrigan	Schillinger	Tilton
Butts	Friday	La Fetra	Schulz, F.F.	Tobin
Cain	Fuller	Lasch	Schulz, H	Trainor
Carroll	Gardiner	Lawson	Sheffield	Tuttle
Chambers	Gerst	Marrin	Sherwood	Van Amber
Chapman	Gould	McGuire	Smith, M.F.	Vehslage
Clark, F.E.	Hennessy	Melody	Smith, S.W.	Wells
Clark, J. H.	Herrman	Mittnacht	Snyder	Wieman
Cutler	Higbie	Myers	Stadtfeld	Wilcox
Davidson	Hoefler	O'Grady	Stein	Wray

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1214) entitled "An act providing for the removal of incumbrances and obstructions upon the streets, sidewalks and public grounds in the Twenty-third and Twenty-fourth wards, of

the city of New York " (Int. No. 774), having been announced for a third reading,

Mr. Ainsworth moved to recommit said bill to the committee on affairs of cities, with instructions to amend as follows and report forthwith :

Page 1, line 6, strike out the words "street improvements of said wards" and insert the words "public works of the city of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 42 }
{ NOES 36 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Hotaling	Rider, J.J.	Stewart
Babcock	Fish	Howe	Robbins	Taylor
Braun	Friday	Keck	Robertson	Terry, C.W.
Brownell	Glenn	Kern	Robson	Terry, J.F.
Burtis	Gould	Lawson	Sheffield	Thompson
Chambers	Higbie	O'Grady	Sherwood	Tilton
Cutler	Hobbie	Porter	Smith, M.F.	Tuttle
Dean	Hoefler	Prescott	Smith, S.W.	Speaker
Eldredge	Horton			

Those who voted in the negative, were

Berry	Douglas	Kelsey	Mittnacht	Schulz, F.F.
Brennan	Finnigan	Kerrigan	Myers	Stadtfeld
Butts	Foley	La Fetra	O'Donnell	Stein
Carroll	Gardiner	Lasch	Robinson	Sulzer
Chapman	Gleason	Marrin	Roche	Trainor
Clark, F.E.	Hennessy	McGuire	Scanlon	Vehslage
Davidson	Herrman	Melody	Schillinger	Wieman
Dinkelspiel				

The committee on affairs of cities, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 43 }
{ NOES 33 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Gould	Prescott	Stewart
Babcock	Dean	Higbie	Rider, J.J.	Sulzer
Berry	Denniston	Hoefler	Robertson	Terry, J.F.

Braun	Dinkelspiel	Howe	Robson	Thompson
Brownell	Douglas	Keck	Sheffield	Thornton
Burtis	Eldredge	La Fetra	Smith, M.F.	Tilton
Carroll	Fish	Lawson	Smith, S.W.	Van Amber
Chambers	Foley	O'Grady	Snyder	Wells
Clark, J. H.	Friday	Porter		

Those who voted in the negative, were

Brennan	Finnigan	Lasch	Relly	Stadtfeld
Butts	Gardiner	Marrin	Robinson	Stein
Cain	Gleason	McKeon	Roche	Tobin
Chapman	Hennessy	Melody	Scanlon	Trainor
Clark, F.E.	Herrman	Mitnacht	Schillinger	Vehslage
Corrigan	Kelsey	Myers	Schulz, F.F.	Wieman
Davidson	Kerrigan	O'Donnell		

Mr. Ainsworth moved that the bills in the bill box be handed down and referred before the House adjourns.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 958) entitled "An act to amend chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws,' and to repeal chapter 250 of the Laws of 1893, entitled An act to amend chapter 361 of the Laws of 1884, entitled An act to establish a State board of pharmacy, and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie'" (Int. No. 695), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hoefler	O'Grady	Stein
Baker	Dinkelspiel	Horton	Plant	Stewart
Berry	Douglas	Howe	Porter	Sulzer
Braun	Dowling	Hoysradt	Prescott	Terry, C.W.
Brownell	Fairbrother	Keck	Rider, J.J.	Terry, J.F.
Burtis	Finnigan	Keleher	Robbins	Thornton
Butts	Fish	Kelsey	Robertson	Tilton
Cain	Foley	Kerr	Robson	Tobin

Callahan	Friday	Kern	Schillinger	Tuttle
Carroll	Fuller	La Fetra	Schulz, F.F.	Van Amber
Chambers	Gardiner	Lawson	Sheffield	Vehslage
Clark, J. H.	Gleason	Marrin	Sherwood	Wells
Corrigan	Glenn	McDermott	Smith, M.F.	Wieman
Cutler	Gould	Mitnacht	Smith, S.W.	Wilcox
Davidson	Harrigan	Myers	Stadtfeld	Wray
Dean	Higbie	O'Donnell		

In the negative,

Robinson

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 956) entitled "An act to amend section 2660 of the Code of Civil Procedure" (Int. No. 678), having been announced for a third reading,

On motion of Mr. Stein, and by unanimous consent, said bill was amended as follows:

Page 2, lines 19 and 20, strike out the words "except as herebefore provided," and after the word "kin" on line 19, insert the words "and after an executor or administrator of a sole legatee named in a will whereby the whole estate is devised to such deceased sole legatee."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Higbie	Melody	Sherwood
Babcock	Douglas	Hoefer	Messiter	Smith, M.F.
Berry	Fairbrother	Howe	Mitnacht	Smith, S.W.
Brennan	Finnigan	Hoysradt	Myers	Stadtfeld
Brownell	Fish	Keck	O'Donnell	Stein
Burtis	Foley	Keleher	O'Grady	Stone
Butts	Friday	Kelsey	Porter	Sulzer
Callahan	Fuller	Kern	Prescott	Terry, C.W.
Carroll	Gardiner	La Fetra	Reilly	Terry, J.F.
Chambers	Gleason	Lasch	Rider, J.J.	Thornton
Chapman	Glenn	Lawson	Robertson	Trainor
Corrigan	Gould	Lee	Robson	Vehslage

Davidson	Harrigan	Loonan	Schillinger	Wilcox
Dean	Hennessy	Marrin	Schoepflin	Wray
Denniston	Herrman	McKeon	Schulz, F.F.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 721) entitled "An act to amend section 178 of the town law, as amended by chapter 297 of the Laws of 1893" (Rec. No. 227), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	Porter	Stewart
Babcock	Douglas	Keck	Prescott	Stone
Berry	Eldredge	Keleher	Rider, J.J.	Sulzer
Braun	Fairbrother	Kelsey	Robbins	Taylor
Brennan	Fish	Kern	Robertson	Terry, C.W.
Brownell	Foley	Kerrigan	Robinson	Terry, J.F.
Burtis	Friday	La Fetra	Roche	Thornton
Butts	Fuller	Lasch	Scanlon	Tilton
Callahan	Gardiner	Lawson	Schillinger	Tobin
Carroll	Gleason	Lee	Schoepflin	Trainor
Chapman	Glenn	Loonan	Sheffield	Tuttle
Clark, J. H.	Gould	Marrin	Schulz, F.F.	Van Amber
Corrigan	Harrigan	McDermott	Sherwood	Vehslage
Cutler	Hennessy	Melody	Smith, M.F.	Wells
Davidson	Higbie	Mitnacht	Smith, S.W.	Wieman
Dean	Hoeftler	O'Donnell	Stadtfeld	Wilcox
Denniston	Howe	O'Grady	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 534) entitled "An act to amend chapter 188 of the Laws of 1891, entitled 'An act to amend chapter 330 of the Laws of 1883, entitled An act to supply the city of Schenectady with water'" (Int. No. 545), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hoysradt	O'Donnell	Stadtfeld
Babcock	Dinkelspiel	Keck	O'Grady	Stein
Berry	Douglas	Keenan	Porter	Stewart
Braun	Dowling	Keleher	Prescott	Stone
Brownell	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Burtis	Fish	Kern	Robertson	Taylor
Butts	Foley	Kerrigan	Robinson	Terry, C.W.
Cahill	Friday	La Petra	Roche	Terry, J.F.
Cain	Gardiner	Lawson	Scanlon	Thornton
Carroll	Gleason	Lee	Schoepflin	Tobin
Chambers	Glenn	Loonan	Schulz, F.F.	Trainor
Clark, F.E.	Gould	Marrin	Schulz, H	Tuttle
Clark, J. H.	Harrigan	McDermott	Sheffield	Van Amber
Coughlin	Hennessy	McKeon	Sherwood	Vehslage
Cutler	Herrman	Melody	Smith, M.F.	Wells
Davidson	Higbie	Mitnacht	Smith, S.W.	Wilcox
Dean	Hoefer	Myers		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 911) entitled "An act to repeal chapter 187 of the Laws of 1876, entitled 'An act to authorize the use of steam power upon Atlantic avenue, east of Flatbush avenue in the city of Brooklyn'" (Int. No. 839), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }
 { NOES 9 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Gleason	Marrin	Schulz, H
Babcock	Davidson	Glenn	McGuire	Stadtfeld
Berry	Dean	Gray	McKeon	Stein
Braun	Denniston	Hennessy	Mitnacht	Taylor
Brennan	Dinkelspiel	Herrman	Myers	Terry, C.W
Brownell	Douglas	Hotaling	O'Donnell	Terry, J.F.
Butts	Dowling	Howe	Prescott	Thornton
Cahill	Fairbrother	Keck	Reilly	Tobin
Cain	Finnigan	Keleher	Rider, J.J.	Trainor
Carroll	Fish	Kern	Robinson	Vehslage

Chapman	Foley	Kerrigan	Roche	Wells
Clark, F.E.	Friday	La Fetra	Scanlon	Wieman
Clark, J.H.	Fuller	Lasch	Schillinger	Wilcox
Corrigan	Gardiner	Lawson	Schulz, F.F.	Wray
Coughlin				

Those who voted in the negative, were

Higbie	O'Grady	Robbins	Smith, M.F.	Van Amber
Kelsey	Porter	Robertson	Tilton	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Higbie moved to reconsider the vote by which said bill was passed, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill (No. 1188) entitled "An act to amend the general corporation law, in relation to limitations upon the amount of property of nonstock corporations" (Int. No. 1056), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keleher	Prescott	Stevens
Babcock	Dowling	Kelsey	Reilly	Stone
Berry	Fairbrother	Kern	Rider, J.J.	Sulzer
Brennan	Fish	Kerrigan	Robbins	Taylor
Brownell	Foley	La Fetra	Robinson	Terry, C.W.
Burtis	Friday	Lasch	Roche	Terry, J.F.
Butts	Fuller	Lawson	Scanlon	Thompson
Cahill	Gardiner	Lee	Schillinger	Thornton
Cain	Gleason	Marrin	Schulz, F.F.	Tilton
Chambers	Gould	McDermott	Schulz, H	Tobin
Clark, F.E.	Hennessy	Melody	Seibert	Tuttle
Clark, J.H.	Herrman	Messiter	Sherwood	Vacheron
Coughlin	Higbie	Mittnacht	Smith, M.F.	Van Amber
Cutler	Hoefler	Myers	Smith, S.W.	Vehslage
Davidson	Hotaling	O'Donnell	Snyder	Wells
Dean	Houghton	O'Grady	Stadtfeld	Wilcox
Denniston	Howe	Porter	Stein	Wray
Dinkelspiel	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish in the chair.

The bill (No. 843) entitled "An act to provide for the improvement of a portion of Third avenue in the city of Albany and streets intersecting the same, and for the payment of the expenses thereof" (Int. No. 778), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hoysradt	O'Donnell	Snyder
Babcock	Douglass	Keck	O'Grady	Stadtfeld
Berry	Dowling	Keenan	Porter	Stein
Braun	Eldredge	Keleher	Prescott	Stewart
Brennan	Fairbrother	Kelsey	Rider, J.J.	Stone
Brownell	Fish	Kerr	Robbins	Sulzer
Burtis	Foley	Kern	Robinson	Taylor
Butts	Friday	La Fetra	Robson	Terry, C.W.
Cahill	Fuller	Lasch	Roche	Terry, J.F.
Callahan	Gardiner	Lawson	Scanlon	Thornton
Carroll	Gleason	Lee	Schillinger	Tilton
Chambers	Glenn	Marrin	Schoepflin	Trainor
Clark, F.E.	Gould	McDermott	Schulz, F.F.	Tuttle
Clark, J. H.	Hennessy	McGuire	Schulz, H	Van Amber
Corrigan	Herrman	McKeon	Seibert	Vehslage
Coughlin	Higbie	Melody	Sherwood	Wells
Cutler	Hoefler	Mitnacht	Smith, M.F.	Wieman
Davidson	Horton	Myers	Smith, S.W.	Wray
Dean	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1410) entitled "An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York'" (Int. No. 929), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the word "seven" strike out the comma and insert the word "of."

Page 3, line 7, strike out the comma.

Page 5, line 1, strike out the words "The subdivision of" and commence the word "section" with capital "S;" also, after the word "two" insert a comma and the words "subdivision two."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1415) entitled "An act to prevent and punish fraudulent sales of goods, wares and merchandise at public or private sale by itinerant vendors, and to regulate such sales" (Int. No. 546), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, add the letter "s" to the word "principal."

Page 2, line 10, after the word "application" strike out the comma.

Same page, line 12, change the word "comptrolltr" to the word "comptroller."

Page 3, line 6, after the word "license" insert a comma.

Same page, line 13, strike out the word "such."

Page 4, line 16, after the word "penalty" insert a comma.

Same page, line 26, change the word "comptrotted" to the word "comptroller."

Page 5, line 18, change the word "dong" to the word "doing."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1419) entitled "An act to amend section 258 of the Code of Civil Procedure, relative to the stenographers of the Supreme Court" (Int. No. 1168), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "stenographers" insert the words "for certain judicial districts."

Same page, line 7, after the word "of" insert the word "the."

Page 2, line 11, change the word "apointed" to "appointed."

Same page, line 12, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-four."

Amend the title so as to read as follows:

"An act to amend the Code of Civil Procedure, relative to stenographers of the Supreme Court in certain districts."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1404) entitled "An act, to amend chapter 207 of the Laws of 1851, entitled 'An act declaring Moose river a public highway'" (Int. No. 1066), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "fifty-one" insert the words "entitled 'An act declaring Moose river, together with the north and south branches thereof in the State of New York, a public highway and regulate the passage of logs and timber down the same.'"

Amend the title so as to read as follows:

"An act to amend chapter 207 of the Laws of 1851, entitled 'An act declaring Moose river, together with the north and south branches thereof in the State of New York, a public highway regulating the passage of logs and timber down the same.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 372) entitled "An act to amend the Code of Civil Procedure, relative to claims against estates of decedents" (Int. No. 364), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the section" and insert the words "section 1822"; also, in same page, same line, strike out the word "herein."

Same page, line 2, strike out the words "after designated are" and insert the word "is," also, in same line, strike out the words "severally" and "respectively."

Page 2, line 1, add the letter "s" to the word "become."

Same page, line 3, strike out the word "any" and insert the word "every."

Same page, line 4, strike out the word "the"; also, in same page, same line, after the word "property" insert the following section:

"§ 2. Section 1835 of the Code of Civil Procedure, is hereby amended to read as follows:"

Same page, line 12, after the word "section" insert the following section:

"§ 3. Section 1836 of the Code of Civil Procedure, is hereby amended so as to read as follows:"

Same page, line 13, strike out the word "is" and insert the word "it."

Same page, line 24, after the word "peace" insert the following section:

"§ 4. Section 2718 of the Code of Civil Procedure, is hereby amended to read as follows:"

Page 3, line 9, after the word "due" strike out the semicolon and insert a comma.

Same page, after line 19, insert a new section to read as follows:

"§ 5. This act shall take effect September 1, 1894."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1261) entitled "An act to amend chapter 161 of the Laws of 1889, entitled 'An act in relation to local improvements in the town of Flatbush, and the acquisition of the rights of a plank road company in said town'" (Int. No. 1105) reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the said act."

Same page, line 2, after the word "eighty-nine" insert the words "entitled 'An act in relation to local improvements in the town of Flatbush, and the acquisition of the rights of a plank road in said town.'"

Page 2, line 21, strike out the word "or" and insert the word "of."

Page 4, line 24, strike off the letter "s" from the word "avenues."

Same page, line 26, insert a comma after the word "provided."

Page 7, line 1, change the word "evenue" to "avenue."

Same page, line 7, insert a semicolon after the word "pavement."

Page 10, line 25, strike out the word "price" and insert the word "piece."

Page 12, line 18, strike out the word "of" and insert the word "for."

Amend the title by inserting a quotation mark after the word "town."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1409) entitled "An act to secure independence of voters of town meetings, secrecy of the ballot, and providing for the use of automatic ballot-cabinets" (Int. No. 661), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the word "town" insert the words "or incorporated village."

Same page, line 2, after the word "board" insert the words "or board of trustees of such village."

Same page, line 3, after the word "meeting" insert the words "or village election."

Same page, line 4, after the word "held" insert a comma.

Same page, line 6, strike out the words "in said town."

Same page, line 7, after the word "town" insert the words "or officer of such village."

Same page, line 8, after the word "board" insert the words "or board of trustees of such village."

Page 2, line 1, after the word "votes" strike out the comma.

Same page, line 10, after the word "colors" insert a comma.

Same page, line 16, after the word "board" insert the words "or board of trustees of such village."

Same page, line 18, strike out the letter "s" from the word "elections."

Same page, line 20, after the word "thereof" insert a comma.

Same page, line 24, strike out the word "That" and capitalize the next word "All."

Same page, line 26, after the word "towns" insert the words "or villages."

Page 3, line 4, strike out the words "guilty of" and insert the word "deemed."

Amend the title by changing the word "voters" to the word "voters," and the word "of" to the word "at" in the first line.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1423), entitled "An act to correct manifest errors in chapters 66 and 67 of the Laws of 1894, relating to the village of Lansingburgh" (Int. No. 1130), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, strike out the word "appented" and insert the word "appointed."

Page 2, line 21, strike out the word "by."

Same page, line 26, insert a semicolon after the word "respectively."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1158) entitled "An act to provide for the payment of an allowance to families of firemen killed or fatally injured in the discharge of their duties" (Int. No. 1027), reported the same, with the recommendation that it be amended as follows:

Page 1, line 1, add the letters "ly" to the word "regular."

Same page, line 5, strike out the comma after the word "to."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1011) entitled "An act to amend title 10 of part 6 of the Code of Criminal Procedure, in relation to criminal statistics, and to repeal section 1592 of chapter 410 of the Laws of 1882" (Int. No. 927), reported the same with the recommendation that it be amended as follows:

Page 2, line 1, after "§ 941" insert the words "District attorney to furnish statement to clerk."

Same page, line 22, after "§ 942" insert the words "Magistrate to furnish statement to clerk."

Page 4, line 9, after "§ 943" insert the words "Clerk to furnish statement to Secretary of State."

Same page, line 25, after "§ 944" insert the words "Penalty for neglect."

Page 5, line 3, after "§ 945" insert the words "Secretary of State to report to Legislature."

Same page, line 11, after "§ 946" insert the words "Secretary of State to furnish forms."

Page 6, line 1, after the letters "ser" insert the words "vices under this act shall be a county charge."

Same page, line 2, after the figure "2" insert the words "The expense of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 555) entitled "An act to amend section 3 of chapter 347 of the Laws of 1878, entitled 'An act to amend chapter 371 of the Laws of 1875, entitled An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs'" (Int. No. 521), reported the same with the recommendation that it be amended as follows:

Amend the title by inserting a comma after the word "powers" in line 7.

This bill is ineffectual. The act amended has been repealed. See banking law.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1411), entitled "An act to lay out and establish Fort Washington park in the Twelfth ward of the city of New York" (Int. No. 943), reported the same with the recommendation that it be amended as follows:

Page 2, line 13, insert a comma after the word "company."

Page 3, line 6, insert a hyphen after the word "applica."

Same page, line 16, insert a comma after the word "New York."

Page 4, line 15, strike out the word "or" and insert the word "to."

Page 5, line 3, insert a comma after the word "that."

Same page, line 5, insert a comma after the word "testimony."

Same page, line 6, strike out the word "that."

Page 7, line 20, insert a comma after the word "corporation."

Page 8, line 9, insert a comma after the word "correction."

Same page, line 23, insert a comma after the word "court."

Page 9, line 12, insert a comma after the word "thereafter."

Same page, line 13, insert a comma after the word "thereof."

Page 12, line 15, insert a comma after the word "aggrieved."

Page 14, line 1, insert a comma after the word "furnished."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was

referred the bill (No. 1422) entitled "An act to authorize the Board of Claims to hear, audit and determine claims for military uniforms for the National Guard of the State of New York" (Int. No. 751), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, after the word "organization" insert a comma.

Amend the title by inserting a comma after the words "New York," and adding the words "and to make an award therefor."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1420) entitled "An act to amend an act entitled 'An act to incorporate the Port Jervis Water Works Company,' passed May 8, 1868" (Int. No. 793), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the act" and insert the words "Chapter 755 of the Laws of 1868."

Same page, lines 2 and 3, strike out the words "passed May 8, 1868."

Amend the title so as to read as follows:

"An act to amend chapter 755 of the Laws of 1868, entitled 'An act to incorporate the Port Jervis Water Works Company.'"

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 285), entitled "An act to provide means for constructing and repairing ditches for carrying off the back water from the lands in the town of Wheatfield, in the county of Niagara, occasioned by the erection of the State dam for canal purposes across the Tonawanda creek near its mouth in the village of Tonawanda" (Int. No. 281), reported the same with the recommendation that it be amended as follows:

Page 1, line 6, after the word "ditches" insert a comma.

Same page, line 9, after the word "State" insert the word "dam."

Page 2, line 22, after the word "and" insert the word "the."

Page 3, line 6, after the word "act" insert a comma.

Amend the title by inserting a comma after the word "Niagara," in the fourth line.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1274) entitled "An act to provide for repairing the bridges across the Tonawanda creek on the Tonawanda Indian reservation, and make an appropriation for the same" (Int. No. 1186), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out comma after the word "works;" also, strike out the word "said."

Same page, line 3, strike out the word "said" and insert the words "the Tonawanda Indian;" also, strike out the word "so" and insert the word "as."

Same page, line 4, after the word "repairs" insert the word "are."

Same page, line 6, after the word "lie" insert the word "necessary."

Same page, line 7, insert a comma after the word "superintendent," and strike out the word "necessary" and insert a period.

Page 2, line 1, strike out the word "shall" and insert the word "may."

Same page, line 2, strike out the word "it."

Same page, line 3, strike out the words "said" and "the."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1421) entitled "An act to provide for the establishment of a home for the aged dependent veteran and his wife, veteran's mothers' widows and army nurses, residents of New York" (Int. No. 487), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, insert the apostrophe after the letter "s" in the word "veteran's."

Same page, line 3, after the word "widows" insert a comma, and after the word "nurses" insert a comma.

Same page, line 6, insert the apostrophe after the letter "s" in the word "veteran's."

Page 2, line 7, after the word "appointment" insert a comma.

Same page, line 16, add the letter "s" to the word "appointment."

Same page, lines 20 and 22, capitalize the words "grand army and republic."

Page 3, lines 14, 15 and 16, capitalize the words "soldiers', sailors' and home."

Page 4, line 17, insert the apostrophe after the letter "s" in the word "veteran's."

Page 5, line 1, insert a comma after the word "sailor."

Amend the title by placing an apostrophe after the letter "s" in the word "veterans," also, strike out the apostrophe after the word "mothers" and insert a comma.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1418), entitled "An act to amend section 2320 of the Code of Civil Procedure, relative to the jurisdiction of the Supreme Court over the person and property of incompetent persons" (Int. No. 1059), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the figures "2320" insert the words "jurisdiction, concurrent jurisdiction."

Same page, line 7, put a comma after the word "cause;" also, after the word "cause" insert a period.

Page 2, line 3, insert the word "the" after the word "of."

Amend the title so as to read as follows:

"An act to amend the Code of Civil Procedure, relative to the jurisdiction of the Supreme Court over the person and property of incompetent persons."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1406) entitled "An act authorizing boards of supervisors to appoint commissioners for the equalization of taxes" (Int. No. 976), reported the same with the recommendation that it be amended as follows:

Page 2, line 8, after the word "commissioners" insert the word "shall."

Page 3, line 10, strike out all of line after the word "if;" also, lines 11, 12, 13 and 14.

Same page, line 18, after the word "by" insert the words "at least."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1416) entitled "An act creating a commissioner of jurors for counties of the State having a population of 300,000 or more, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in courts of record in such counties; also, prescribing the qualifications, exemptions and length of service of such jurors" (Int. No. 1042), reported the same with the recommendation that it be amended as follows:

Page 2, line 8, after the word "thereafter" insert a comma.
Same page, line 16, after the word "time" insert a comma.
Same page, line 17, after the word "members" insert a comma.
Page 15, line 22, after the word "therefor" insert a comma.
Page 29, line 10, after the letters "commis" insert a hyphen.
Page 1, line 3, strike out the word "enumeration" and insert the word "enumeration."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1408) entitled "An act to provide for the payment of the amount advanced, or to be advanced, by the city of Schenectady for improvements made on Rotterdam street and Water street in said city, and for the collection of the same" (Int. No. 876), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, change the word "nienty" to "ninety."
Same page, line 6, after the word "act" strike out the semicolon and insert a comma.
Page 2, line 20, change the word "rsepectively" to "respectively."
Page 3, line 21, change the word "year" to "years."
Same page, line 22, change the word "nnety" to "ninety."
Same page, line 25, insert an apostrophe after the word "days."
Page 4, line 8, change the word "assessed" to "assessed."

Same page, line 14, strike out the word "of" and insert the word "by."

Same page, line 21, change the word "asessment" to "assessment."

Same page, line 22, change the word "ben" to "been."

Amend the title by striking out the first three words and capitalizing the word "to;" also, strike out the quotation marks after the last word "same."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 982) entitled "An act to reappropriate the unexpended balance of the sum of \$8,000 appropriated by chapter 705 of the Laws of 1892" (Int. No. 893), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, add the letter "d" to the word "appropriate."

Same page, line 6, before the word "on" insert the words "entitled 'An act to authorize the building of a dyke and the removal of a bar for the protection of property adjacent to the Chemung river, in the city and town of Corning, in the county Steuben, and making an appropriation therefor.'"

Amend the title by inserting after the word "ninety-two" in the last line the words "entitled 'An act to authorize the building of a dyke and the removal of a bar for the protection of property adjacent to the Chemung river, in the city and town of Corning, in the county of Steuben, and making an appropriation therefor.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1346), entitled "An act to reappropriate certain unexpended balances of former appropriations"(Int. No. 1191), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the comma after the word "unexpended."

Amend the title by inserting a period after the word "appropriations."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act in relation to assessments for public improvements in the towns of this State and to provide for reviewing and correcting the same." (No. 985, Int. No. 897.)

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and consolidate therewith the several acts in relation to the charter of said city,' and the several acts amendatory thereof and supplementary thereto." (No. 1352, Int. No. 1208.)

"An act to provide for subsistence, pay and expenses of light artillery of National Guard, New York." (No. 823, Int. No. 757.)

"An act making an appropriation for repairing and reconstructing the State armory and drill-room at Walton, and to provide for the acquisition of additional land, and appointing a commission therefor." (No. 360, Int. No. 346.)

Ordered, That said bills be engrossed for a third reading.

The bill (No. 1189) entitled "An act to amend the public officers' law, in relation to the validation of official acts performed before filing an official oath or undertaking" (Int. No. 1057), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{	AYES	78	}
{	NOES	3	}

Those who voted in the affirmative, were

Ainsworth	Coughlin	Gould	Melody	Stein
Babcock	Cutler	Hennessy	Mittnacht	Stewart
Baker	Davidson	Herrman	Myers	Sulzer
Berry	Dean	Higbie	Porter	Taylor
Braun	Denniston	Hobbie	Prescott	Terry, J.F.
Brennan	Dinkelspiel	Hoefer	Robertson	Thompson
Brownell	Douglas	Horton	Roche	Thornton

Burtis	Eldredge	Hotaling	Scanlon	Tilton
Butts	Fairbrother	Howe	Schillinger	Tobin
Callahan	Finnigan	Keck	Schulz, F.F.	Trainor
Carroll	Fish	Keleher	Schulz, H	Tuttle
Cassin	Foley	La Fetra	Sherwood	Van Amber
Chambers	Friday	Lasch	Smith, M.F.	Wells
Chapman	Gardiner	Lawson	Smith, S.W.	Wieman
Clark, F.E.	Gerst	Marrin	Stadtfeld	Wilcox
Clark, J. H.	Glenn	McGuire		

Those who voted in the negative, were

Kelsey Robbins Terry, C.W.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 954) entitled "An act to amend section 791, Code of Civil Procedure, allowing action of ejectment to be placed on a preferred calendar" (Int. No. 419), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{	AYES	85	}
{	NOES	2	}

Those who voted in the affirmative, were

Ainsworth	Cutler	Gould	O'Donnell	Stein
Babcock	Davidson	Hennessy	O'Grady	Stewart
Baker	Dean	Herrman	Parkhurst	Sulzer
Berry	Denniston	Higbie	Porter	Taylor
Braun	Dinkelspiel	Hoefer	Prescott	Terry, J.F.
Brennan	Douglas	Horton	Rider, J.J.	Thompson
Brownell	Eldredge	Hotaling	Robertson	Thornton
Burtis	Fairbrother	Howe	Robson	Tilton
Butts	Finnigan	Keck	Roche	Tobin
Cain	Fish	Keleher	Scanlon	Trainor
Carroll	Foley	La Fetra	Schillinger	Tuttle
Cassin	Friday	Lasch	Schulz, F.F.	Van Amber
Chambers	Fuller	Lawson	Schulz, H	Vehslage
Chapman	Gardiner	Marrin	Sherwood	Wells
Clark, F.E.	Gerst	Melody	Smith, M.F.	Wieman
Clark, J. H.	Gleason	Mitnacht	Smith, S.W.	Wilcox
Corrigan	Glenn	Myers	Stadtfeld	Wray

Those who voted in the negative, were

Kelsey Robbins

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1147) entitled "An act to amend chapter 410 of the Laws of 1882, an act entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to discharge of liens" (Int. No. 1013), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Gould	Mittnacht	Snyder
Babcock	Davidson	Hennessy	Myers	Stadtfeld
Baker	Dean	Herrman	O'Donnell	Stein
Berry	Denniston	Hoefer	Porter	Stewart
Braun	Dinkelspiel	Horton	Prescott	Sulzer
Brennan	Douglas	Hotaling	Robbins	Taylor
Brownell	Eldredge	Howe	Robinson	Terry, C.W.
Burtis	Fairbrother	Keck	Roche	Terry, J.F.
Butts	Finnigan	Keleher	Scanlon	Thompson
Cain	Fish	Kelsey	Schillinger	Thornton
Carroll	Foley	Kern	Schulz, F.F.	Tilton
Cassin	Friday	La Fetra	Schulz, H	Trainor
Chambers	Fuller	Lasch	Sherwood	Van Amber
Chapman	Gardiner	Lawson	Smith, M.F.	Wells
Clark, F.E.	Gerst	Marrin	Smith, S.W.	Wray
Clark, J. H.	Glenn	Melody		

In the negative,

Tobin

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 836) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants, except certain streets'" (Int. No. 770), having been announced for a third reading,

On motion of Mr. Lawson, said bill was laid aside.

The bill (No. 955) entitled "An act to amend section 66 of the

Code of Civil Procedure, relating to compensation of attorney for services" (Int. No. 454), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefer	Robbins	Taylor
Babcock	Denniston	Hotaling	Robertson	Terry, C.W.
Berry	Dinkelspiel	Howe	Robinson	Terry, J.F.
Braun	Douglas	Keck	Roche	Thorapson
Brennan	Eldredge	Kelsey	Scanlon	Thornton
Brownell	Fairbrother	Kern	Schillinger	Tilton
Burtis	Finnigan	La Fetra	Schulz, F.F.	Tobin
Butts	Fish	Lasch	Schulz, H	Trainor
Cain	Foley	Lawson	Sherwood	Tuttle
Carroll	Friday	Marrin	Smith, M.F.	Van Amber
Chambers	Fuller	Melody	Smith, S.W.	Vehslage
Chapman	Gardiner	Mittnacht	Stadtfeld	Wells
Clark, F.E.	Gerst	Myers	Stein	Wieman
Clark, J. H.	Glenn	O'Donnell	Stewart	Wilcox
Cutler	Gould	Porter	Sulzer	Wray
Davidson	Herrman	Prescott		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1140) entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' and acts amendatory thereof, in relation to the enforcement and collection of taxes in and for the village of Fair Haven in the county of Cayuga" (Int. No. 1004), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Higbie	Porter	Sulzer
Babcock	Dinkelspiel	Hoefer	Prescott	Taylor
Berry	Douglas	Hotaling	Robbins	Terry, C.W.

Braun	Eldredge	Howe	Robertson	Terry, J.F.
Brennan	Fairbrother	Keck	Robinson	Thompson
Brownell	Finnigan	Keleher	Roche	Thornton
Burtis	Fish	Kelsey	Scanlon	Tilton
Butts	Foley	Kern	Schillinger	Tobin
Cain	Friday	La Fetra	Schulz, F.F.	Trainor
Carroll	Fuller	Lasch	Schulz, H	Tuttle
Chambers	Gardiner	Lawson	Sherwood	Van Amber
Chapman	Gerst	Marrin	Smith, M.F.	Vehslage
Clark, F.E.	Glenn	Melody	Smith, S.W.	Wells
Clark, J. H.	Gould	Mittnacht	Stadtfeld	Wieman
Cutler	Hennessy	Myers	Stein	Wilcox
Davidson	Herrman	O'Donnell	Stewart	Wray
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1186) entitled "An act to amend the charter of the city of Ithaca" (Int. No. 1054), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoefler	Robbins	Taylor
Babcock	Douglas	Hotaling	Robertson	Terry, C.W.
Berry	Eldredge	Howe	Robinson	Terry, J.F.
Braun	Fairbrother	Keck	Roche	Thompson
Burtis	Finnigan	Keleher	Scanlon	Thornton
Butts	Fish	Kelsey	Schillinger	Tilton
Cain	Foley	Kern	Schulz, F.F.	Tobin
Carroll	Friday	La Fetra	Schulz, H	Trainor
Chambers	Fuller	Lasch	Sherwood	Tuttle
Chapman	Gardiner	Lawson	Smith, M.F.	Van Amber
Clark, F.E.	Gerst	Marrin	Smith, S.W.	Vehslage
Clark, J. H.	Glenn	Melody	Stadtfeld	Wells
Cutler	Gould	Mittnacht	Stein	Wieman
Davidson	Hennessy	Myers	Stewart	Wilcox
Dean	Herrman	Porter	Sulzer	Wray
Denniston	Higbie	Prescott		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Prescott introduced a bill entitled "An act authorizing the improvement and repairs of the Rocky Rift feeder and dam, in the Mohawk river, and making appropriation therefor" (Int. No. 1359), which was read the first time and referred to the committee on ways and means.

Mr. Chambers introduced a bill entitled "An act to amend section 2869 of the Code of Civil Procedure, relating to jurisdiction of justices of the peace" (Int. No. 1360), which was read the first time and referred to the committee on codes.

Mr. Prescott introduced a bill entitled "An act to amend chapter 487 of the Laws of 1889, entitled 'An act to amend chapter 314 of the Laws of 1858, entitled An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes'" (Int. No. 1361), which was read the first time and referred to the committee on general laws.

Mr. Taylor introduced a bill entitled "An act to amend section 460 of the Code of Civil Procedure" (Int. No. 1362), which was read the first time and referred to the committee on codes.

Mr. Hotaling introduced a bill entitled "An act to amend chapter 680 of the Laws of 1892, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws'" (Int. No. 1364), which was read the first time and referred to the committee on the judiciary.

Mr. Friday introduced a bill entitled "An act to ascertain the persons entitled to vote in the several towns of any county in the State having 800,000 or more inhabitants" (Int. No. 1366), which was read the first time and referred to the committee on the judiciary.

Mr. Douglas introduced a bill entitled "An act to amend section 12 of chapter 399 of the Laws of 1892, entitled "An act in relation to taxable transfers of property" (Int. No. 1367,) which was read the first time and referred to the committee on general laws.

Mr. Gerst introduced a bill entitled "An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled An act to consolidate and amend the several acts relating to the said village of Lancaster, and to enlarge the powers of the cor-

poration of said village'" (Int. No. 1368), which was read the first time and referred to the committee on affairs of villages.

Mr. F. F. Schulz introduced a bill entitled "An act to amend section 32 of the Code of Criminal Procedure, relative to 'lotteries'" (Int. No. 1369), which was read the first time and referred to the committee on codes.

Mr. Chambers introduced a bill entitled "An act to provide the village of Lansingburgh with a police station house, and to issue bonds therefor" (Int. No. 1370), which was read the first time and referred to the committee on affairs of villages.

Mr. Finnigan introduced a bill entitled "An act to provide for the grading and other improvement of certain park lands in the city of Brooklyn, and to provide the means therefor" (Int. No. 1371), which was read the first time and referred to the committee on affairs of cities.

The Senate bill (No. 558), entitled "An act to amend an act entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to a public school teachers' retirement fund" (Rec. No. 199), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Higbie	Prescott	Sulzer
Babcock	Dinkelspiel	Hoefler	Robbins	Taylor
Berry	Douglas	Hotaling	Robertson	Terry, C.W.
Braun	Eldredge	Howe	Robinson	Terry, J.F.
Brennan	Fairbrother	Keck	Roche	Thompson
Brownell	Finnigan	Kelsey	Scanlon	Thornton
Butts	Fish	Kern	Schillinger	Tilton
Cain	Foley	La Fetra	Schulz, F.F.	Tobin
Carroll	Friday	Lasch	Schulz, H.	Trainor
Chambers	Fuller	Lawson	Sherwood	Tuttle
Chapman	Gardiner	Marrin	Smith, M.F.	Van Amber
Clark, F.E.	Gerst	Melody	Smith, S.W.	Wells
Clark, J. H.	Glenn	Mittnacht	Stadtfeld	Wieman

Cutler	Gould	Myers	Stein	Wilcox
Davidson	Hennessy	O'Donnell	Stewart	Wray
Dean	Herrman	Porter		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER,)
ALBANY, *March* 30, 1894. }

To the Legislature :

I have the honor to transmit herewith the annual report of the comptroller of the Sailor's Snug Harbor, in the city of New York, the same being for the year 1893.

ROSWELL P. FLOWER.

Said report was laid upon the table and ordered printed.

(See Document.)

Leave of absence was granted to Messrs. Denniston and Higbie until Tuesday next.

The Senate returned the bill (No. 595) entitled 'An act to amend section 116 of title 2, chapter 3 of part 4 of the Revised Statutes relating to State prisons.' (Int. No. 559.)

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented a petition of the Prison Association of New York, protesting against the passage of the Senate bill (No. 483) relating to the State reformatory at Elmira ; which was referred to the committee on State prisons.

On motion of Mr. Malby, the House adjourned.

MONDAY, APRIL 2, 1894.

The House met pursuant to adjournment.

Prayer by Rev. James R. Walsh.

On motion of Mr. Gould, the journal of Friday, March 30, was approved without being read.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same :

"An act to authorize the city of Buffalo to issue a bond or bonds for the purpose of raising money with which to redeem an outstanding bond of \$200,000." (No. 1138, Int. No. 1002.)

"An act to authorize the comptroller of the city of Buffalo to add certain assessments to the general city tax-roll without delivering the same to the treasurer." (No. 1173, Int. No. 1040.)

"An act in relation to dressing and carving stone used in State or municipal works." (No. 842, Int. No. 777.)

"An act to amend the insurance law, relating to life or casualty insurance corporations transacting business upon the co-operative assessment plan." (No. 1116, Int. No. 398.)

"An act to legalize and confirm the official acts of Henry C. Copeland, a notary public." (No. 598, Int. No. 563.)

"An act to amend the Code of Civil Procedure, relating to changing the names of individuals and of corporations." (No. 559, Int. No. 525.)

"An act to amend section 1678 of the Code of Civil Procedure, relating to publication of notices of sales." (No. 739, Int. No. 688.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker presented the Twenty-eighth annual report of the American Society for the Prevention of Cruelty to Animals; which was laid upon the table and ordered printed.

(See Document.)

The Senate returned the bill (No. 744) entitled "An act to amend an act, entitled 'An act to incorporate the Troy Female Seminary'" (Int. No. 745), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 7, change the word "Gorley" to "Gurley."

Same section, line 6, strike out the letter "C" after the word "Henry" and insert the letter "G."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Kelsey	Rider, J.J.	Stevens
Babcock	Dean	Kerr	Robertson	Stewart
Baker	Dinkelspiel	Kern	Robson	Stone
Berry	Douglas	Lawson	Ryder, E.L.	Sulzer
Braun	Fairbrother	Lee	Schillinger	Taylor
Brennan	Fuller	Marrin	Schulz, H	Terry, C W.
Brownell	Gardiner	Matthews	Seibert	Thompson
Bush	Gleason	McGuire	Smith, M.F.	Tilton
Butts	Glenn	McKeon	Smith, S.W.	Tobin
Cain	Gould	McNamee	Snyder	Van Amber
Carroll	Hoefer	Myers	Southworth	Vehslage
Chapman	Howe	O'Grady	Stadtfeld	Wells
Clark, J. H.	Keck	Porter	Stein	Wilcox
Coughlin	Keenan	Prescott		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bills :

"An act to amend the Penal Code, in relation to military offences" (No. 764, Rec. No. 279), which was read the first time and referred to the committee on military affairs.

"An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo'" (No. 59, Rec. No. 292), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 22, article 2, chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws'" (No. 727, Rec. No. 291), which was read the first time and referred to the committee on public health.

"An act for the construction of a wall on the Erie canal in the town of Verona, Oneida county, from the bridge at Higginsville, west of same, and to make an appropriation therefor" (No. 845, Rec. No. 593), which was read the first time and referred to the committee on ways and means.

"An act to amend the county law" (No. 777, Rec. No. 290), which was read the first time and referred to the committee on general laws.

"An act to amend chapter 549 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh, and the several

acts amendatory thereof" (No. 426, Rec. No. 289), which was read the first time and referred to the committee on affairs of cities.

"An act to provide for the construction of a hoist or lift-bridge over the Erie canal at Adam street, in the city of Lockport, and making an appropriation therefor" (No. 728, Rec. No. 288), which was read the first time and referred to the committee on ways and means.

"An act concerning the Niagara Falls Suspension Bridge Company and to amend chapter 133 of the Laws of 1855, entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' as revived and extended by chapter 239 of the Laws of 1867" (No. 889, Rec. No. 294), which was read the first time and referred to the committee on the judiciary.

"An act relating to the Avenue A in the city of New York" (No. 851, Rec. No. 286), which was read the first time and referred to the committee on affairs of cities.

"An act to provide for the incorporation of medical societies in the several counties set apart in this State since the passage of the act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813" (No. 757, Rec. No. 287), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the department of fire'" (No. 821, Rec. No. 285), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled An act to consolidate and amend the several acts relating to the said village of Lancaster, and to enlarge the powers of the corporation of said village'" (No. 736, Rec. No. 284), was read the first time and referred to the committee on affairs of villages.

"An act to place fire hydrants and to lay the necessary mains in connection therewith in the city of New York" (No. 773, Rec. No. 282), which was read the first time.

On motion of Mr. Dinkelspiel, said bill was substituted for

Assembly bill No. 1290, Int. No. 1129, same title and subject, now on the order of third reading.

"An act to provide for the construction and improvement of Corlears Hook park in the city of New York" (No. 833, Rec. No. 280), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. Dinkelspiel, said bill was laid aside for the purpose of substitution for Assembly bill on same subject.

"An act to amend the agricultural law and the Penal Code, relative to violations of the same" (No. 802, Rec. No. 283), which was read the first time and referred to the committee on agriculture.

"An act to amend chapter 205 of the Laws of 1890, entitled 'An act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States,' as amended by chapter 538 of the Laws of 1892, and to reappropriate an unexpended balance of appropriation heretofore made to carry out the provisions of said act" (No. 809, Rec. No. 278), which was read the first time.

On motion of Mr. Herrman, said bill was substituted for Assembly bill No. 1342, Int. No. 1187, same title and subject, now on the order of third reading.

"An act to amend chapter 358 of the Laws of 1892, entitled 'An act to authorize the issue of bonds of the city of Rochester to pay for an additional water supply'" (No. 887, Rec. No. 277), was read the first time.

On motion of Mr. O'Grady, said bill was substituted for Assembly bill No. 1451, Int. No. 1274, same title and subject, now on the order of second reading.

"An act to amend chapter 193 of the Laws of 1888, entitled 'An act to authorize the selection, location and acquiring of certain grounds for public parks and parkways in and near the city of Rochester, and to provide for the maintenance and embellishment thereof and the several acts amendatory thereof and supplementary thereto'" (No. 878, Rec. No. 276), was read the first time.

On motion of Mr. O'Grady, said bill was substituted for Assembly bill No. 1397, Int. No. 1276, same title and subject, now on the order of third reading.

"An act to further amend section 66 of chapter 410 of the Laws

of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 108 of the Laws of 1889, in relation to the publication of notices in proceedings to acquire land or interests therein in said city" (No. 774, Rec. No. 281), was read the first time.

On motion of Mr. Dinkelspiel, said bill was substituted for Assembly bill No. 1291, Int. No. 1130, same title and subject, now on the order of third reading.

Mr. Speaker presented a communication from the Central Labor Union of the city of New York, relative to the distribution of tickets for work upon the parks in the city of New York, and protesting against the unfair discriminating treatment accorded organized labor in the expenditure of the appropriation for that purpose.

Mr. Sulzer moved that the communication be received, referred to the committee on cities and printed.

Pending the consideration of the motion of Mr. Sulzer,

A message from the Governor, by the hands of his private secretary, was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 2, 1894.*

To the Assembly :

Assembly bill No. 575, entitled "An act to amend the public health law, relating to rules and regulations of the State Board," is herewith returned without approval.

This bill makes two changes of importance in existing law.

First. It makes the rules of the State Board of Health for the protection of potable waters from contamination inoperative in any county, unless approved by the county judge after at least thirty days' notices to local boards of health in the towns in which the potable waters are situated. This weakens the powers of the State Board, and might at times impede seriously its efforts to prevent epidemics of disease. It is quite essential to the protection of the public health that the State Board should possess broad powers, and that the exercise of these should not be hampered unwisely.

Second. When rules of the State Board are violated, and the local board of health fails to enforce obedience to them, the municipality deriving its water supply from the waters to which the rules relate, or the corporation furnishing the supply, is deprived of any statutory right to seek an injunction restraining persons from a continued violation of the rules. In that case, according to this proposed bill, the aggrieved party should sue

for the penalties of a violation of rules, but could not prevent by injunction a continuance of the nuisance or cause of contamination. This would practically nullify any rules of the State Board of Health and might expose people of municipalities to great danger from the contamination of their water supply without leaving them any ready means of redress.

This bill is a step backward in sanitary legislation, and should not become a law.

ROSWELL P. FLOWER.

On motion of Mr. Fish, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 2, 1894.

To the Assembly :

Assembly bill No. 193, entitled "An act to ratify and confirm the acts of Alanson J. Prime, as commissioner of deeds of the city of Yonkers," is herewith returned without approval.

I refused to approve the other day a bill ratifying and confirming the acts of a notary public performed after the expiration of his term of office. The same reasons which I gave for that disapproval apply with equal force to this bill, and to those reasons the Assembly is respectfully referred.

ROSWELL P. FLOWER.

On motion of Mr. Sulzer, said bill and the accompanying message was laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 2, 1894.

To the Assembly :

Assembly bill Int. No. 950, entitled "An act to legalize the official acts of Charles F. Curtis, a duly elected justice of the peace, and authorize him to execute and file his official bond," is herewith returned without approval.

Chapter 96 of the laws of the present year makes this bill unnecessary.

ROSWELL P. FLOWER.

On motion of Mr. Howe, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 2, 1894.

To the Assembly :

Assembly bill No. 900, entitled "An act to amend the county law, in relation to the salaries of the county judge and surrogate of Suffolk county," is herewith returned without approval.

When distress is so prevalent as at present and so many persons are out of work, it is a bad time to increase the salaries of public servants. I did approve recently a bill increasing the salary of the judge of Delaware county, but not until after every member of the board of supervisors had filed with me a request for such approval.

ROSWELL P. FLOWER.

On motion of Mr. Ainsworth, said bill and the accompanying message were laid upon the table.

Also, the following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 2, 1894.

To the Assembly:

Assembly bill No. 813, entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of Linus Jones Peck & Co., or the survivor of said firm, or his executors, administrators or assigns, for stone delivered and for cutting stone, in performance of two certain contracts made by said firm with the State for furnishing stone and cutting the same for the erection of the buildings of the Buffalo State Asylum for the Insane, and to make an award thereon," is herewith returned without approval.

This claim bears the signs of age and disappointment. It arises out of contracts between the board of managers of the Buffalo State Asylum for the Insane and Linus Jones Peck & Co., for furnishing and cutting stone for the construction of the asylum about twenty years ago. All the claims arising out of these contracts have been settled by the courts, and the State has contended that payment has been made in full for all work done and supplies furnished, including ample damages for a breach of contract, but each year's legislation reveals fresh attempts to revive the claims in one shape or another, and this bill is the latest indication of that disposition.

As to this particular claim the facts are these: The claim was filed with the Board of Claims in 1890, and an award of \$35,878.78 was rendered; the State appealed and the Court of Appeals reversed the award, holding that if the claimant was entitled to recover anything it became due about 1876 or 1877, and assuming this to be true the claim was barred by the Statute of Limitations long before it was filed with the Board of Claims. After this decision the Board of Claims gave a new trial and subsequently dismissed the claim.

Under the provisions of article 7, section 14 of the Constitution, neither the Legislature, nor any person or board acting on behalf of the State, can revive a claim or waive the Statute of Limitations, and the purpose of the bill under consideration is

evidently to do this very thing. This would seem to be in contravention of the Constitution. In addition to this radical defect the bill has no merit of equity.

ROSWELL P. FLOWER.

On motion of Mr. Kelsey, said bill and the accompanying message were laid upon the table.

The House then resumed the consideration of the motion made by Mr. Sulzer.

Debate arising thereon,

Mr. Ainsworth moved that said communication and resolution be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

By unanimous consent,

Mr. Nixon introduced a bill entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' and the acts amendatory thereof and supplementary thereto" (Int. No. 1373), which was read the first time.

Mr. Nixon asked unanimous consent that said bill do now have its second reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was placed on the order of third reading and referred to the committee on affairs of cities, retaining its place on the order of third reading.

The bill (No. 1307) entitled "An act to establish an epileptic colony" (Int. No. 820), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 4 }

Those who voted in the affirmative, were

Baker	Finnigan	Kelsey	O'Grady	Southworth
Berry	Fish	Kerr	Plant	Stadtfeld
Braun	Foley	Kern	Porter	Stein
Brennan	Friday	Kerrigan	Reilly	Stewart

Brownell	Gardiner	La Fetra	Rider, J.J.	Sulzer
Burtis	Gerst	Lasch	Robbins	Taylor
Bush	Gleason	Lawson	Robertson	Terry, C.W.
Butts	Gould	Lee	Robinson	Terry, J.F.
Cahill	Gray	Lounsbury	Roche	Thompson
Cain	Harrigan	Loonan	Ryder, E.L.	Thornton
Callahan	Hennessy	Marrin	Scanlon	Tilton
Carroll	Herrman	McGuire	Schillinger	Tobin
Chapman	Hoefer	McKeon	Schoepflin	Trainor
Clark, F.E.	Hotaling	Melody	Schulz, F.F.	Tuttle
Clark, J. H.	Houghton	Messiter	Schulz, H	Van Amber
Coughlin	Hughes	Mittnacht	Seibert	Vehslage
Dinkelspiel	Keck	Myers	Sheffield	Wieman
Douglas	Keenan	Nixon	Sherwood	Wilcox
Dowling	Keleher	O'Donnell	Smith, S.W.	Wyckoff
Fairbrother				

Those who voted in the negative, were

Ainsworth Babcock Glenn Snyder

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. O'Grady introduced a bill entitled "An act reappropriating an unexpended balance for the State Industrial School at Rochester" (Int. No. 1372), which was read the first time and referred to the committee on ways and means.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 258, Int. No. 259, entitled "An act to release to Mary Rose Reilly, the only child and heir at law of Thomas Smith, deceased, the interest of the people of the State of New York in the property, either real or personal, of which Thomas Smith and Owen Smith, or either of them, died possessed," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The bill (No. 1271) entitled "An act to amend section 529 of the Code of Criminal Procedure, relating to application for certificate of stay not be granted" (Int. No. 986), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Kelsey	Prescott	Stevens
Babcock	Eldredge	Kerr	Rider, J.J.	Stone
Baker	Fairbrother	Kern	Robbins	Sulzer
Berry	Finnigan	La Fetra	Robertson	Taylor
Braun	Fish	Lasch	Robinson	Terry, C.W.
Brennan	Friday	Lawson	Roche	Terry, J.F.
Brownell	Fuller	Lee	Scanlon	Thompson
Butts	Gardiner	Lounsbury	Schoepflin	Thornton
Cain	Gleason	Marrin	Schulz, F.F.	Trainor
Callahan	Glenn	Matthews	Schulz, H	Tuttle
Carroll	Gould	McGuire	Seibert	Van Amber
Chambers	Gray	Melody	Sheffield	Vehslage
Chapman	Herrman	Messiter	Sherwood	Wells
Clark, F.E.	Hoefer	Myers	Smith, M.F.	Whittet
Clark, J. H.	Horton	Nixon	Smith, S.W.	Wieman
Coughlin	Hotaling	O'Grady	Snyder	Wilcox
Cutler	Houghton	Plant	Stadtfeld	Wray
Dean	Howe	Porter	Stein	Wyckoff
Dinkelspiel	Keleher			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1198) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' as amended by section 2 of chapter 10 of the Laws of 1894, entitled 'An act to amend chapter 184, entitled An act to amend chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon'" (Int. No. 1033), having been announced for a third reading,

On motion of Mr. Berry, said bill was laid aside.

The bill (No. 1211) entitled "An act to amend the Code of Civil Procedure, relating to the return of execution" (Int. No. 221), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{	AYES	22	}
{	NOES	58	}

Those who voted in the affirmative, were

Ainsworth	Fish	Hoefler	Prescott	Taylor
Berry	Friday	Keck	Robson	Thornton
Braun	Fuller	Kelsey	Sheffield	Wells
Brownell	Glenn	Lawson	Stewart	Wray
Cutler	Gould			

Those who voted in the negative, were

Babcock	Hennessey	Marrin	Robinson	Terry, C.W.
Brennan	Herrman	McGuire	Ryder, E.L.	Terry, J.F.
Butts	Hotaling	Melody	Scanlon	Thompson
Cain	Houghton	Messiter	Schillinger	Tilton
Callahan	Howe	Mittnacht	Sherwood	Tobin
Carroll	Keenan	Myers	Smith, M.F.	Trainor
Chambers	Keleher	Nixon	Southworth	Tuttle
Chapman	Kerr	O'Donnell	Stadtfeld	Van Amber
Davidson	Kerrigan	Porter	Stein	Vehslage
Finnigan	La Fetra	Reilly	Stone	Wilcox
Gleason	Lee	Rider, J.J.	Sulzer	Wyckoff
Harrigan	Lounsbury	Robbins		

Mr. Sheffield moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

By unanimous consent,

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved, That the House expresses its hearty commendation of the report of the State Board of Charities, relative to the management of the Elmira Reformatory.

On motion of Mr. Fish, said resolution was made a special order for to-morrow (Tuesday), at 1 o'clock P. M.

The Senate returned the concurrent resolution recalling from the Governor, Assembly bill No. 258, entitled "An act to release to Mary Rose Reilly, the only child and heir at law of Thomas Smith, deceased, the interest of the people of the State of New York in the property, either real or personal, of which Thomas Smith and Owen Smith, or either of them, died possessed" (Int. No. 259), with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

The bill (No. 1270) entitled "An act to amend the railroad law, relating to consents of property owners for building and operation of street surface railroads" (Int. No. 1018), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Hughes	O'Donnell	Stadtfeld
Babcock	Dowling	Keck	O'Grady	Stein
Baker	Eldredge	Keenan	Plant	Sulzer
Berry	Fairbrother	Keleher	Porter	Taylor
Braun	Finnigan	Kerrigan	Prescott	Terry, C.W.
Brennan	Fish	La Fetra	Rider, J.J.	Terry, J.F.
Brownell	Foley	Lasch	Robbins	Thornton
Burtis	Friday	Lawson	Robertson	Tilton
Cain	Gleason	Lee	Roche	Trainor
Carroll	Gould	Lounsbury	Scanlon	Tuttle
Clark, F.E.	Gray	Marrin	Schillinger	Van Amber
Clark, J. H.	Harrigan	McKeon	Schoepflin	Vehslage
Cutler	Hennessey	Melody	Schulz, H	Wells
Dean	Herrman	Mitnacht	Seibert	Wieman
Denniston	Hoefer	Myers	Sherwood	Wray
Dinkelspiel	Houghton	Nixon	Southworth	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1265) entitled "An act in relation to the designation and appointment of medical service in the public institutions of cities and counties of the State" (Int. No. 922), having been announced for a third reading,

On motion of Mr. Houghton, said bill was laid aside.

The bill (No. 1277) entitled "An act to amend the Revised Statutes and the general corporation law, in relation to changing the principal business office of a corporation" (Int. No. 1058), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Finnigan	Kerr	Robinson	Stewart
Babcock	Fish	Kerrigan	Robson	Sulzer
Baker	Foley	La Fetra	Roche	Terry, C.W.
Berry	Friday	Lasch	Scanlon	Thompson
Brennan	Gardiner	Lawson	Schillinger	Thornton
Bush	Gerst	Lee	Schulz, F.F.	Tobin
Butts	Gould	Lounsbury	Schulz, H	Trainor
Callahan	Hennessy	Marrin	Sheffield	Tuttle
Carroll	Herrman	McKeon	Sherwood	Van Amber
Chambers	Hoefler	Melody	Smith, M.F.	Vehslage
Clark, F.E.	Houghton	Messiter	Smith, S.W.	Wells
Clark, J. H.	Hughes	Myers	Southworth	Wieman
Cutler	Keck	Nixon	Stadtfeld	Wilcox
Dean	Keenan	Porter	Stein	Wray
Dinkelspiel	Keleher	Prescott	Stevens	Wyckoff
Dowling	Kelsey	Robertson		

Those who voted in the negative, were

Hotaling Terry, J.F.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth called from the table the bill (No. 1054) entitled "An act to amend chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capitol police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany,' relating to the police department" (Int. No. 510).

Said bill having been announced for a third reading.

Mr. Ainsworth moved to recommit said bill to the committee on affairs of cities with instructions to substitute the following and report forthwith:

AN ACT to amend title 12 of chapter 77 of the Laws of 1870, entitled 'the police department.'

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two of title twelve of chapter seventy-seven of the laws of eighteen hundred and seventy is hereby amended so as to read as follows:

§ 2. The powers and duties connected with and incident to the police government of the city of Albany shall be vested in and exercised by a commissioner, and a police force composed of a chief of police, captains of police, sergeants of police, patrolmen of police, station-house keepers and one surgeon of police.

§ 2. Section three of said act is hereby amended so as to read as follows:

§ 3. There shall be in charge of the police of the city of Albany one police commissioner, who shall be appointed by the mayor of the said city, by an appointment in writing to be filed with the clerk of the common council of said city; said mayor shall, in case of the death, disability, resignation or removal of said police commissioner, from time to time fill such vacancy, so caused, by filing a similar appointment, and said police commissioner, so appointed, shall hold office during the term of the mayor so appointing him, or until his successor is appointed, or he is himself removed from office. The person who shall be elected as mayor of the city of Albany at the election to be held in April, eighteen hundred and ninety-four, and at each subsequent election, must appoint such commissioner within ten days after his qualifying as such mayor, or after this act becomes a law, if such mayor first qualify, and immediately upon the filing of such appointment, and the acceptance by the person so appointed of his said office as police commissioner, the term of office of the then present police commissioners or commissioner shall expire, and not before then. The said police commissioner shall serve without compensation or salary, and may be removed from office by the mayor of the city of Albany at any time, either on such mayor's own motion, or on charges preferred by any five or more citizens.

§ 3. Section four of said act is hereby repealed.

§ 4. Section five of said act is hereby amended so as to read as follows:

§ 5. The said police commissioner shall keep a record of his proceedings, and shall appoint a secretary who shall have the custody of all books and papers belonging to the police department, and who shall render such other services appertaining to such police department as said commissioner may require of him, and who shall receive a salary of not to exceed twelve hundred dollars per annum to be paid for the year eighteen hundred and ninety-four out of any unexpended balance in the hands of the chamberlain of the city of Albany.

§ 5. Section six of said act is hereby amended so as to read as follows:

§ 6. The said police commissioner to be appointed as hereinbefore provided by the mayor elected at the election to be held

in April, eighteen hundred and ninety-four, shall have exclusive power to appoint one chief of police, who shall hold office during good behavior, and until removed therefrom; and the police commissioner may remove said chief for misconduct, incompetency, or for any other good cause, and said chief may also be removed on any of said grounds by a justice of the supreme court, sitting at special term or at chambers in the third judicial department, after a hearing, and upon written charges presented by not less than five resident taxpayers of the city of Albany; not to exceed five captains of police; not to exceed fifteen sergeants of police, any of whom may, at any time, for cause, and after a hearing, be reduced to the rank of patrolman; also patrolmen not to exceed one hundred and twenty-one in number; five station-house keepers; supernumerary patrolmen not to exceed ten in number, and one surgeon as hereby established, and also have power to appoint not more than one clerk; and he shall designate, from time to time, with power, at all times, of revocation and further appointment, not to exceed four patrolmen of said force to attend the police court of the city of Albany, and who shall have power, and it is hereby made their duty, to serve all criminal and other process, and all warrants and other papers, in any and all parts of the state, which may be issued by said police court or the justices thereof, or either of them.

§ 6. Section seven of said act is hereby repealed.

§ 7. Section eight of said act is hereby amended so as to read as follows:

§ 8. On his appointment, the said commissioner shall assume control of the police department, police force and of all the property, station-houses and offices within said city of Albany now in the possession or occupation of the police or police commissioners thereof.

§ 8. Section nine of said act is hereby amended so as to read as follows:

§ 9. The duties of the said commissioner (as hereinafter prescribed and defined) shall be more specially executed under and according to rules and regulations which he is hereby authorized to make, from time to time, for the government and discipline of the force of the city of Albany; but no rule or regulation shall go into effect until at least ten days after it shall have been adopted by and entered in the minutes of said commissioner. The said police force shall consist of a chief of police, as hereinafter provided, with so many captains of police, sergeants of police and patrolmen as are hereby especially allowed and provided for and appointed by said police commissioner. All members of such police force shall, in the first instance, be appointed by said commissioner of police; and whenever vacancies occur in such

force, or further or additional members of such force are required, within the limit allowed by law, such vacancies shall be filled and such additional members made by like appointments by said commissioner. All officers and members of the police department, subject to removal for cause as hereinafter specified, shall hold their office during good behavior, or as each shall well and faithfully observe and execute all the rules and regulations of the said board, the laws of the state and the ordinances of the city of Albany. Any member of said force may be removed from his office only after written charges shall have been preferred against him, according to the rules and regulations of said commissioner and the same shall have been heard and examined by said commissioner, publicly, in the presence of the accused, and after notice to him of such hearing by said commissioner in manner to be prescribed by said rules and regulations, except that the chief may also be removed upon the application of five taxpayers as provided by section six. But no person shall ever be appointed to membership in the police force of the said city of Albany, or shall continue to hold membership therein, who is not a citizen of the United States, who is not of good moral character, who has ever been convicted of, or is under indictment or arrest for a crime, or who can not understandingly read and write the English language, or who shall not have resided in the city of Albany during two years preceding his appointment.

§ 9. Section eleven of said act is hereby amended so as to read as follows:

§ 11. The chief of police, to be appointed under the provisions of this act, shall be (subordinate to the mayor of the city of Albany) the chief executive of the police force created by this act, and he shall obey and cause the force under him to obey, the rules and regulations that may be from time to time established by the said police commissioner, in accordance with the provisions of this act. The said chief of police shall possess the powers of a magistrate to entertain complaints for criminal offenses, and to issue warrants for the arrest of persons charged with such offenses, which warrants shall be made returnable before either of the police justices of the city of Albany at the police court. He shall also possess the power to commit persons charged with criminal offenses until an examination shall be had before such police justices, or one of them.

§ 10. Section twelve of said act is hereby amended so as to read as follows:

§ 12. The chief of police shall have the charge of organizing and directing a detective staff of not more than three members, who shall, from time to time, be selected, designated and detailed from

said police force for services connected with the prompt detection and aid in the punishment of crime, and in such mode and manner as the commissioner may select and direct; and who may be at any time by said chief restored to duty on said regular police force, and punished or removed by said commissioner in the same manner as the members of said regular force. The said commissioner may make such rules as to him may seem best for the regulation, formation and proper discharge of the duties of said detective force.

§ 11. Section thirteen of said act is hereby amended so as to read as follows:

§ 13. The said police commissioner shall, whenever expedient, and on the application of a corporation or person or persons showing the necessity thereof, detail regular patrolmen of the police force, or appoint and swear any additional member of special patrolmen of the police force, to do special duty within the said city, the person or persons by whom the application shall be made contributing to the police fund, by payment to the chamberlain of the said city of Albany, of a sum not exceeding the sum of two dollars and fifty cents per diem of service on such detail of special duty. But the patrolmen so additionally and specially appointed shall be subject to the orders of the chief of police, and shall obey the rules and regulations of the said commissioner and conform to its general discipline and to such special regulations as shall be made, and shall wear such dress and emblems as the commissioner may direct; and shall, during the term of holding such appointment, possess all the powers and privileges and discharge all the duties of patrolmen of the police force or such special duties as may be assigned to them by the police commissioner; and they may be removed at any time by the said commissioner, without cause assigned therefor, upon notice to the person or persons who applied for the appointment as aforesaid. All supernumerary patrolmen appointed by said police commissioner shall be appointed for the purpose of temporarily filling the places and discharging the duties of the regular patrolmen who may be absent from duty from time to time, and for no other purpose whatever, and while on duty such supernumerary patrolmen shall possess the same powers and be subject to the same duty and discipline as regular policemen, and they shall receive such compensation as the police commissioner may determine, not exceeding the per diem pay of regular policemen; but no supernumerary patrolmen shall be paid for any service except as in this section provided.

§ 12. Section fourteen of said act is hereby amended so as to read as follows:

§ 14. The police commissioner may also, upon any emergency

or apprehension of riot, pestilence or invasion, appoint as many special patrolmen, from among the citizens, without pay, as he may deem desirable; and during any day of public election he may appoint, to perform duty in the said city of Albany, so many special patrolmen as may be required to keep order during such election, but who must have all the qualifications required of regular patrolmen, who may be paid for their services as such special patrolmen on such day two dollars each, out of the public fund, to be contributed by said city of Albany; provided, however, that each special patrolman so appointed shall, at the time of his appointment, make an oath before the commissioner or the chief of police that he will not interfere, in any manner, with the election taking place on the day for which he is appointed, otherwise than by depositing his own vote; and providing that such pay may be withheld, and he may be duly prosecuted as for a misdemeanor, if the terms of such oath be violated; and during the term of service of any special patrolman, authorized as aforesaid, he shall possess all the powers and privileges of the patrolmen of the standing force, and he shall wear such emblem as shall be prescribed and furnished by said police commissioner.

§ 13. Section fifteen of said act is hereby amended so as to read as follows:

§ 15. No member of the police force, under penalty of forfeiting the salary or pay which may be due him, shall withdraw or resign, except by permission of the said commissioner, unless he shall have given the chief of police one month's notice in writing of his intention so to do.

§ 14. Section sixteen of said act is hereby amended so as to read as follows:

§ 16. The said police commissioner shall provide such offices and business accommodations as he shall deem requisite for the transaction of the business of the commissioner and his subordinates.

§ 15. Section seventeen of said act is hereby amended so as to read as follows:

§ 17. The said commissioner shall, at all times, whenever consistent with the rules and regulations adopted and with the requirements of this act, furnish all police information desired by the common council of the city of Albany, or by any board, commission or officer of said city.

§ 16. Section eighteen of said act is hereby amended so as to read as follows:

§ 18. The said police commissioner shall have power to issue subpoenas, tested in his name, to compel the attendance of witnesses upon any proceeding authorized by him or his rules and regulations. The police commissioner and chief of police are hereby

authorized and empowered to administer oaths and affirmations to any person appearing in any matter or proceeding authorized as aforesaid, and to take any depositions necessary to be made under the rules and regulations of said police commissioner, for the purposes embraced in this act; and any willful and corrupt false swearing by any witness or person to any material fact in any necessary proceeding, under the said rules and regulations of this act, shall be deemed perjury, and be punished in the manner now prescribed by law for that offense; and in case any person subpoenaed under this section shall fail or refuse to obey such subpoena, or refuse to take, when required, the proper oath or affirmation, or to answer any proper question, upon the presentation of satisfactory proof of the same to a justice of the supreme court, or the Albany county judge, it shall be the duty of the justice or judge to whom such presentation shall have been made, to issue an order returnable before him at an early day, requiring the person so failing or refusing to show cause why an attachment should not issue against him; and to adopt such other and further measures to compel the person to appear and testify, and to punish disobedience as if the matter were legally pending in the supreme court, or the county court of said county.

§ 17. Section nineteen of said act is hereby amended so as to read as follows:

§ 19. The said commissioner may, from time to time, establish stations and station-houses, not to exceed six, for accommodating thereat the members of the police force, and as temporary places of detention for persons arrested and property taken within the precinct.

§ 18. Section twenty of said act is hereby amended so as to read as follows:

§ 20. The said police commissioner in furtherance of the police government of the said city of Albany, and for promoting and perfecting the police discipline of subordinates and of the members of said police force, is empowered to enact and, from time to time, to modify and repeal, by-laws, ordinances, rules and regulations of general descriptions wherein in addition to such other provisions as said commissioner may deem expedient, there shall be particularly defined, enumerated and distributed the powers and duties of the chief of police and captains of the police force, of the clerk of said commissioner, and all other members of said police force; and where shall be specified the modes of appointment to and removal from office of all members of said police force, and the manner of discipline of said police; provided that such by-laws, ordinances, rules and regulations shall not conflict with any of the provisions of this act, or with the constitution of the United States or of this state.

§ 19. Section twenty-two of said act is hereby amended so as to read as follows:

§ 22. The several members of said police force shall have power and authority, and it shall be his duty to immediately and without process arrest and take into custody any person who shall commit, or threaten or attempt to commit in the presence of such member, or within his view, any breach of the peace or offense directly prohibited by act of the legislature or by any ordinance of the city, but such member of the police force shall, immediately upon such arrest, convey in person such offender before the nearest magistrate, that he may be dealt with according to law.

§ 20. Section twenty-five of said act is hereby amended so as to read as follows:

§ 25. The said commissioner is authorized, from time to time, to contract for and to provide suitable accommodations within said city for the detention of witnesses who are unable to furnish security for their appearance in criminal proceedings; and such accommodations shall be in premises other than those used for the confinement of persons charged with crime, fraud or disorderly conduct; and it shall be the duty of all magistrates in committing witnesses to have regard to the rules and regulations of said commissioner in respect to their detention.

§ 21. Section twenty-six of said act is hereby amended so as to read as follows:

§ 26. The said commissioner may suspend from pay or duty, or both, any member of the said force.

§ 22. Section twenty-seven of said act is hereby amended so as to read as follows:

§ 27. The said chief of police shall make to said police commissioner quarterly reports in writing of the state of the police force, with such statistics and suggestions as he may deem it advisable to submit for the improvement of the police government and discipline of the said force; said commissioner shall, on or before the first Monday of December in each year, make a report in writing to the common council of said city upon the condition of the said police within said city.

§ 23. Section twenty-nine of said act is hereby amended so as to read as follows:

§ 29. The said commissioner shall cause to be kept general complaint books, in which shall be entered any complaint of a police nature, preferred upon a personal knowledge of the circumstances thereof, with the name and residence of the complainant; he shall also cause to be kept books of registration of lost, missing and stolen property, for the general convenience of the public and for the information of said police force. The said

commissioner shall cause to be kept books of record of said police department, wherein shall be entered the name of every member of said police force, with the time and place of his nativity, the place where and when (if born out of the United States) he became a citizen of the United States; his age upon becoming such member and his former occupation, the number of his family and the residence thereof, and the date of his appointment, and of his resignation or withdrawal or dismissal from said force, with the cause of the latter, and against all such entries sufficient space shall be left wherein to make record of any special arrests made from time to time by such member, or of any special service deemed meritorious by the commissioner done by him. Such books shall be, at all business hours, and when not in actual use, open to public inspection. The said commissioner shall also cause to be kept and bound all police returns and reports from any member of said force, and all minutes of the proceedings of said commissioner; which returns, reports and minutes shall be open for public inspection only in the discretion of said commissioner.

§ 24. Section thirty of said act is hereby amended so as to read as follows:

§ 30. Every member of said force shall have issued to him, by said commissioner a proper warrant of appointment, signed by said commissioner and countersigned by the chief, which warrant shall contain the date of his appointment and his rank.

§ 25. Section thirty-one of said act is hereby amended so as to read as follows:

§ 31. The said commissioner shall make suitable provisions respecting security to be given by the chief of police and other officers of said force for the faithful performance of their respective duties. Each member of the police force shall subscribe an oath of office in the constitutional form, in a book kept for that purpose, and shall take said oath before the commissioner of police, who is hereby authorized to administer such oath and to certify the taking thereof.

§ 26. Section thirty-two of said act is hereby amended so as to read as follows:

§ 32. It shall be the duty of said commissioner to detail, on the day of any election in said city of Albany, at least two patrolmen to each election poll, and to distribute ballot-boxes for use at any and all such elections, and to provide for the custody of said boxes at all times except during the taking, receiving and counting of the votes. Said city of Albany shall pay the expenses of taking care of its boxes.

§ 27. Section thirty-three of said act is hereby amended so as to read as follows:

§ 33. It shall be the duty of said commissioner to prevent any

booth or box for the distribution of tickets at any election from being erected or maintained within one hundred and fifty feet of any polling place within said city, and to see that the arrangements for voting are such as to prevent any avoidable crowding of voters at such polls, and that the challengers of both and all parties have fair and equal room, rights and privileges for the discharge of their duties at each poll, and that the canvassing of the votes be conducted in an orderly, fair, open and public manner; and no person or officer shall have power to interfere with said commissioner in the discharge of the duties imposed on him by this section.

§ 28. Section thirty-five of said act is hereby amended so as to read as follows:

§ 35. The necessary expenses incurred in the execution of criminal process within said city shall be a charge against the city. No fees or compensation whatever, other than as herein provided, shall be charged or received by any officer or member of the said police force, for the arrest, confinement or discharge of any person, or for mileage and travel, or for serving any warrant, subpoena or process, or for discharging any other duty required by this act, nor shall any such fee or compensation be charged or received by any officer or citizen for the arrest of any person charged with crime, or for the service of any warrant, subpoena or other process in any criminal case, except as herein provided. The actual, necessary and reasonable traveling expenses, which shall include board as well as transportation, incurred by any officer or member of the said police force, or by any other officer or citizen who may have been selected to execute any process issued within the said city of Albany, incurred by any such officer or member of the police force, or other officer or person in executing any such process or discharging any duty required of him by the district attorney of the county of Albany, or by any police justice, justice of the peace, judge of a court of record or criminal court, held within said city, for any offense arising within said city, shall be audited and allowed by the said commissioner and paid by the chamberlain of the said city of Albany. But such charges shall only be allowed upon the affidavit of the person making them and shall not include any items for traveling expenses, in cases wherein transportation has been furnished to the party gratuitously, and without pay by him, under whatever circumstances such free transportation may have been given. The board of supervisors of the county of Albany shall annually cause to be raised by tax, in the manner provided by law for assessing, levying and collecting the state and county taxes, within and for said county, the sum of two thousand dollars to pay in part the expenses incurred by said police force in the

service of all criminal process issuing from the district attorney, or any police justice of the city of Albany, and a sum sufficient to pay the cost, charges and expenses for police services rendered by any member of the said police force, or by said police commissioner in the execution of criminal process, in cases now chargeable to said county; the same to be assessed, levied and collected upon and from the city in the same manner, ratio and proportion as the accounts of deputy sheriffs and constables of said county are now charged, assessed, levied and collected; the amount thereof to be paid to the chamberlain of the city of Albany, to be applied toward the general expenses of said police force; and it shall be the duty of the said police commissioner to furnish annually to the board of supervisors of said county, an accurate statement of all the moneys paid out by said board under the requirements of this section during the preceding year, and the amount so raised shall be paid over by the county treasurer of said county to the chamberlain of said city of Albany.

§ 29. Section thirty-six of said act is hereby amended so as to read as follows:

§ 36. It is hereby declared to be the duty of the common council of the city of Albany to provide, at the expense of said city, within each police precinct of said city, all necessary accommodations for the station-houses required by said police commissioner for the accommodation of the police force of such precincts, and for the lodging of vagrants and disorderly persons, and for the temporary detention of persons arrested for offenses. In case said common council neglect or refuse for sixty days after having been in writing requested by the said commissioner to provide such accommodations or station-houses, which, in the opinion of said commissioner are suitable, or to put such station-houses in due repair, then said commissioner may make his own provisions therefor, whether by contracts of hiring or repairing proper premises; and the expenses thereof shall be a proper expense of and charge against the said city of Albany. Provided in case there shall be at any time a sufficient surplus arising from unexpended moneys raised for the annual support of the police department, but not used necessarily for that purpose, it shall be lawful for said commissioner to apply the same without the consent of the common council to the purchase of a lot and the erection of a building thereon to be used as a station-house in any of the police precincts of said city.

§ 30. Section thirty-seven of said act is hereby amended so as to read as follows:

§ 37. The board of supervisors of the county of Albany, shall, annually, on the requisition of the said police commissioner, cause

to be raised by tax, in the manner provided by law for assessing, levying and collecting the general taxes of said city of Albany, the sum necessary to defray the expenses of the police force organized by this act. Such sum, when collected, shall be paid over by the receiver of taxes of said city to the chamberlain thereof, by whom the disbursement thereof shall be made as herein provided, in accordance with the rules and regulations of the said commissioner.

§ 31. Section thirty-eight of said act is hereby amended so as to read as follows:

§ 38. The chief of police shall receive an annual salary of three thousand dollars and the salary of the clerk shall be fixed by the police commissioner at a sum not exceeding twelve hundred dollars; each captain of the police shall receive an annual salary of not over one thousand two hundred dollars; each sergeant one thousand dollars and each patrolman of the police force shall receive an annual salary of not over nine hundred dollars to be regulated as hereinafter set forth, and each station-house keeper shall receive an annual salary of not over six hundred dollars, and the surgeon of police shall receive an annual salary of not over five hundred dollars. Each patrolman detailed on the detective staff of said police force may be paid in addition to his annual salary, as herein provided, an additional compensation of not exceeding one hundred dollars annually, to be fixed and determined by the said police commissioner, in his discretion and to be paid to said detectives so detailed in proportionate monthly sums in the same manner as provided in this act for the payment of their salaries. The grade of the members of the police force who are patrolmen shall be as follows: All such members who shall have served three years or upwards on such force as patrolman shall be members of the first grade; all such members who shall have served for less than three years and more than one year on such force shall be members of the second grade, and all other members of the police force who are patrolmen shall on their appointment become members of the third grade. There shall also be established a veteran grade, which shall consist of such member of the police force of the rank of patrolmen as shall have become from age or other causes incapable of severe or prolonged physical exertion. The annual salary of patrolmen of the first grade shall be nine hundred dollars, of patrolmen of the second grade eight hundred dollars, of the third grade seven hundred dollars and of the veteran grade six hundred dollars. All of said salaries shall be paid monthly by the chamberlain of said city, to each person

entitled thereto, in the manner to be prescribed by the rules and regulations of the police commissioner, subject to such deductions each month from the pay or salary of the members of said police force as the police commissioner shall make to satisfy fines imposed on any member of said force by way of discipline or punishment and as provided by the rules and regulations of said commissioner. The members of the veteran grade shall be assigned to the performance of such duties as shall not require great physical exertion or endurance, and nothing in this act contained shall prevent the assignment of members of the present police force to such grade, whenever in the judgment of the police commissioner the efficiency of the police force will be promoted by such change.

§ 32. Section thirty-nine of said act is hereby amended so as to read as follows:

§ 39. The police commissioner, for meritorious and extraordinary services rendered by any member of the police force in the due discharge of his duty, may permit any member of the police force to retain, for his own benefit, any reward or present tendered him therefor; and it shall be cause for removal from said force for any member thereof to receive any such reward or present without giving notice thereof to the commissioner. Upon receiving such notice the said commissioner may either order said member to retain the same or pay it over to the treasurer of the police pension fund for the city of Albany.

§ 33. Section forty of said act is hereby amended so as to read as follows:

§ 40. All fines imposed by the commissioner upon members of the police force by way of discipline, and collectible from salary or pay, and all rewards, fees, proceeds of gifts and emoluments that may be paid and given for account of extraordinary services of any member of the police force (except when allowed to be retained by such member), and all moneys remaining for the space of one year in the hands of the property clerk, arising from the sale of unclaimed goods, and all proceeds of suits for penalties under this act, shall be paid over to the treasurer of the police pension fund of the city of Albany.

§ 34. Section forty-two of said act is hereby amended so as to read as follows:

§ 42. Said chief of police shall, at all times, cause the ordinances of the city of Albany, not in conflict with the provisions of this act, to be properly enforced; and it shall be the duty of said chief at all times, when consistent with the rules and regulations of the police department, and with the requirements of this act, to furnish all information desired.

§ 35. Whenever by any act of the legislature or ordinance of the city of Albany, heretofore or hereafter passed or adopted, and not hereby repealed, any power or authority is vested in, or any obligation or duty is imposed on the board of police commissioners of the city of Albany, or any member thereof, such power, or authority, or duty, or obligation, shall be vested in or performed by the police commissioner by this act provided for.

§ 36. Chapters one hundred and eighty-six of the laws of eighteen hundred and seventy-two; two hundred and seventy-eight of the laws of eighteen hundred and seventy-two; two hundred and ninety-eight of the laws of eighteen hundred and eighty-five; four hundred and forty-three of the laws of eighteen hundred and eighty-six; four hundred and ninety-five of the laws of eighteen hundred and seventy-three; three hundred and thirty-five of the laws of eighteen hundred and ninety; ninety-nine of the laws of eighteen hundred and ninety-two, and three hundred and ninety of the laws of eighteen hundred and ninety-two, are hereby repealed.

§ 37. This act shall take effect on the first Thursday in May, eighteen hundred and ninety-four.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 57 }
{ NOES 41 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Ryder, E.L.	Stone
Babcock	Friday	Lawson	Scanlon	Terry, C.W.
Baker	Fuller	Lee	Schoepflin	Thompson
Braun	Gerst	Nixon	Schulz, F.F.	Thornton
Brownell	Glenn	O'Grady	Seibert	Tuttle
Burtis	Gould	Porter	Sherwood	Van Amber
Clark, F.E.	Hobbie	Prescott	Smith, M.F.	Wells
Clark, J. H.	Hoefer	Rider, J.J.	Smith, S.W.	Wilcox
Cutler	Hotaling	Robbins	Snyder	Wray
Dean	Howe	Robertson	Stevens	Wyckoff
Denniston	Keck	Robson	Stewart	Speaker
Fairbrother	Kelsey			

Those who voted in the negative, were

Berry	Coughlin	Herrman	Marrin	Schillinger
Brennan	Davidson	Hughes	McKeon	Southworth
Butts	Douglas	Keenan	Melody	Stadtfeld
Cahill	Dowling	Keleher	Myers	Stein
Cain	Finnigan	Kerr	O'Donnell	Sulzer
Callahan	Gardiner	Kerrigan	Reilly	Tobin

Carroll	Gleason	La Fetra	Robinson	Trainor
Chapman	Hennessy	Lasch	Roche	Vehslage
Corrigan				

The committee on affairs of cities reported back said bill, as instructed by the House.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 64 }
{ NOES 45 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Scanlon	Terry, C.W.
Babcock	Friday	Lawson	Schoepflin	Terry, J.F.
Baker	Fuller	Lee	Schulz, F.F.	Thompson
Braun	Gardiner	Lounsbury	Schulz, H	Thornton
Brownell	Gerst	Messiter	Seibert	Tuttle
Burtis	Glenn	Nixon	Sherwood	Van Amber
Chambers	Gould	O'Grady	Smith, M.F.	Wells
Clark, F.E.	Hobbie	Porter	Smith, S.W.	Wieman
Clark, J. H.	Hoefer	Prescott	Snyder	Wilcox
Cutler	Hotaling	Rider, J.J.	Stevens	Wray
Dean	Howe	Robertson	Stewart	Wyckoff
Denniston	Keck	Robson	Stone	Speaker
Fairbrother	Kelsey	Ryder, E.L.	Taylor	

Those who voted in the negative, were

Berry	Davidson	Herrman	McGuire	Roche
Brennan	Dinkelspiel	Hughes	McKeon	Schillinger
Butts	Douglas	Keenan	Melody	Southworth
Cahill	Dowling	Keleher	Mittnacht	Stadtfeld
Cain	Finnigan	Kerr	Myers	Stein
Callahan	Foley	Kerrigan	O'Donnell	Sulzer
Carroll	Gleason	La Fetra	Plant	Tobin
Chapman	Harrigan	Lasch	Reilly	Trainor
Coughlin	Hennessy	Marrin	Robinson	Vehslage

Mr. Ainsworth moved to reconsider the vote, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Friday moved to take from the table the bill (No. 1150) entitled "An act to amend chapter 602 of the Laws of 1892,

entitled 'An act to secure the registration of plumbers and the supervision of plumbing and drainage in the cities of the State of New York.' " (Int. No. 1016.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Friday moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 62 }
 { NOES 43 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Robson	Stone
Babcock	Friday	Lawson	Scanlon	Terry, C.W.
Baker	Fuller	Lee	Schoepflin	Ferry, J.E.
Braun	Gardiner	Lounsbury	Schulz, F.F.	Thompson
Brownell	Gerst	Messiter	Schulz, H.	Thornton
Burtis	Glenn	Nixon	Seibert	Tuttle
Chambers	Gould	O'Grady	Sherwood	Van Amber
Clark, F.E.	Hobbie	Porter	Smith, M.F.	Wells
Clark, J.H.	Hoefer	Prescott	Smith, S.W.	Wilcox
Cutler	Hotaling	Rider, J.J.	Snyder	Wray
Dean	Howe	Robbins	Steveris	Wyckoff
Denniston	Keck	Robertson	Stewart	Speaker
Fairbrother	Kelsey			

Those who voted in the negative, were :

Berry	Davidson	Hughes	McKeon	Schillinger
Brennan	Dinkelspiel	Keenan	Melody	Southworth
Butts	Douglas	Keleher	Mittnacht	Stadtfeld
Cahill	Dowling	Kerr	Myers	Stein
Cain	Finnigan	Kerrigan	O'Donnell	Sulzer
Callahan	Foley	La Fetra	Plant	Tobin
Carroll	Gleason	Lasch	Robinson	Trainor
Chapman	Harrigan	Loonan	Roche	Vehslage
Coughlin	Hennessy	Marrin		

Mr. Ainsworth gave notice that he would move a call of the House immediately after the reading of the journal to morrow.

The bill (No. 1266) entitled "An act to amend the Insurance Law, relating to town and county co-operative insurance corporations" (Int. No. 822), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Myers	Snyder
Babcock	Dinkelspiel	Howe	Nixon	Southworth
Baker	Douglas	Hughes	O'Grady	Stadtfeld
Berry	Fairbrother	Keck	Plant	Stevens
Braun	Fish	Keleher	Porter	Stewart
Brennan	Foley	Kelsey	Prescott	Stone
Brownell	Friday	Kerrigan	Robertson	Sulzer
Burtis	Fuller	La Petra	Robson	Perry, C.W
Butts	Gardiner	Lasch	Roche	Thompson
Cain	Gerst	Lawson	Ryder, E.L.	Trainor
Carroll	Glenn	Lee	Scanlon	Tuttle
Chambers	Gould	Lounsbury	Schillinger	Van Amber
Chapman	Harrigan	Loonan	Schoepflin	Vehslage
Clark, F.E.	Hennessy	Marrin	Seibert	Wells
Clark, J. H.	Herrman	Melody	Sherwood	Wilcox
Coughlin	Hobbie	Messiter	Smith, M.F.	Wray
Cutler	Hoefer	Mitnacht	Smith, S.W.	Wyckoff
Davidson	Hotaling			

In the negative :

Stein

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,' in relation to actions for penalties." (Int. No. 973.)

"An act to amend the Military Code, relating to armories for the naval militia." (Int. No. 1044.)

"An act to supplement the provisions of section 20, title 2 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and acts amendatory thereof, in relation to the board of estimate, by

extending the benefits of such acts to certain institutions in the city of Brooklyn." (Int. No. 1173.)

"An act authorizing the construction of a wrought-iron bridge over the Erie canal at Griffith street, in the city of Rochester, and making an appropriation therefor." (Int. No. 135.)

"An act to amend chapter 157 of the Laws of 1854, entitled 'An act to incorporate the village of Mohawk,' relating to sidewalks." (Int. No. 1174.)

"An act to amend the Penal Code, in relation to ice cuttings and ice bridges." (Int. No. 1113.)

"An act to provide for repairs and improvements of the lift-bridge now over the Champlain canal, at Broad street, in the town of Waterford, Saratoga county." (Int. No. 762.)

"An act to regulate fares for passengers on the ferry boats plying on the East river between Broadway in the city of Brooklyn, and Roosevelt street in the city of New York, and operated by the Brooklyn and New York Ferry Company." (Int. No. 887.)

"An act to amend chapter 300 of the Laws of 1875, entitled 'An act providing that the bridge in course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company and the completion and management of said bridge by the said cities,' relating to compensation of policemen." (Int. No. 938.)

"An act for the relief of John C. Ham, formerly of New York city, now residing at New Rochelle, Westchester county, and to authorize the comptroller of the city of New York to inquire into the claim of said John C. Ham, and to issue revenue bonds to pay same, and to authorize the board of estimate and apportionment of said city to make provision to pay said revenue bonds." (Int. No. 483.)

"An act fixing the pay, compensation and salary of the doormen and acting doormen of the park police of the city of New York, and providing for the payment of the same, and for their vacation and benefit under the pension fund." (Int. No. 849.)

"An act to provide for the payment of certain claims against the city of Brooklyn." (Int. No. 1169.)

"An act to provide for the completion and the care of the

soldiers and sailors' monument in the city of Brooklyn, and to provide the means therefor." (Int. No. 1102.)

"An act to amend the game law, relating to application of ordinances of boards of supervisors." (Int. No. 816.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,' relating to the clerk of the board of aldermen." (Int. No. 1151.)

"An act to authorize the common council of the city of Corning to borrow money and issue the obligation of said city in payment of certain real estate." (Int. No. 1127.)

"An act to regulate the number of trips at certain hours of ferry boats plying on the East river between Broadway in the city of Brooklyn and Roosevelt street in the city of New York, and operated by the Brooklyn and New York ferry company." (Int. No. 888.)

"An act in relation to the exemption from taxation of the real property of 'The Pythian Association' of the city of Amsterdam." (Int. No. 1211.)

"An act to amend chapter 60 of the Laws of 1893, and entitled 'An act to provide for the conveying the waters of Trout and Ensign brook under the Champlain canal at the Leland farm, in the town of Half Moon, Saratoga county, and making an appropriation therefor." (Int. No. 749.)

"An act to authorize the completion of repairs to the State dam across the Mohawk river at Cohoes and making an appropriation therefor." (Int. No. 1144.)

"An act relating to the Avenue A in the city of New York." (Int. No. 1128.)

"An act making an appropriation for repairing the State armory at Auburn and enlarging its drill-room, and to provide for the exchange of certain portions of the armory lot for adjoining land, and for the acquisition of other adjoining land, and appointing a commission therefor." (Int. No. 317.)

"An act in relation to the justices' courts in the city of Brooklyn." (Int. No. 386.)

"An act to amend chapter 507 of the Laws of 1889, entitled 'An act to authorize villages of the State of New York to establish water rates, and to collect the same,' relating to scale of rates by assessments." (Int. No. 1070.)

"An act making an appropriation for raising and lengthening the approach to Bullard's bridge in the county of Saratoga, and State bridge number 108 in the county of Washington." (Int. No. 788.)

"An act to amend chapter 89 of the Laws of 1891, entitled 'An act to provide for the erection of museum buildings on park lands in the city of Brooklyn, and to authorize leases thereof to the Brooklyn Institute of Arts and Sciences.'" (Int. No. 1125.)

"An act to amend chapter 203 of the Laws of 1881, entitled 'An act to authorize the burial of the body of any honorably discharged soldier, sailor or marine who shall hereafter die without leaving means sufficient to defray funeral expenses, and to provide a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State.'" (Int. No. 1071.)

"An act to amend the Code of Civil Procedure, relating to libel." (Int. No. 836.)

"An act to amend the agricultural law and the Penal Code, relative to violations of the same." (Int. No. 1160.)

"An act to repeal chapter 756 of the Laws of 1871, entitled 'An act to prevent the deposit of carrion, offal or dead animal in the North and East rivers, of the bay of New York, or Raritan bay, within the jurisdiction of the State of New York,' and acts amendatory thereof and supplementary thereto." (Int. No. 232.)

"An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Mary Jane Charlton against the State, and to make an award therefor." (Int. No. 833.)

"An act to provide for the selection, laying out, construction and maintenance of a public driveway and parkway, and for the acquisition of riparian rights in connection therewith in any county of this State which contains a city the population of which city is in excess of 800,000, and the boundaries of which city are not coterminus with those of said county, and also providing the means of payment thereof, and of maintenance thereof, and creating a department of parks for said county." (Int. No. 1106.)

"An act to amend chapter 304 of the Laws of 1892, entitled 'An act to provide for the appointment of a board of water commissioners for the city of Albany.'" (Int. No. 725.)

“An act to prevent the display of foreign flags or emblems on public buildings.” (Int. No. 1183.)

“An act to amend chapter 583 of the Laws of 1888, entitled ‘An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,’ relating to the appropriation of moneys by the board of estimate for certain purposes.” (Int. No. 1137.)

“An act to amend the Code of Civil Procedure, relating to when the court must grant a new trial.” (Int. No. 1146.)

“An act to amend the Military Code, by changing the chapter number thereof.” (Int. No. 977.)

“An act to amend chapter 583 of the Laws of 1888, entitled ‘An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,’ in reference to the pension roll of the firemen’s insurance fund.” (Int. No. 1091.)

“An act to amend chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ and the acts amendatory thereof, relating to the judgment of the court of special sessions in certain cases made final.” (Int. No. 975.)

“An act to make further provisions for the erection of an armory in the county of Kings for the Fourteenth Regiment, National Guard, State of New York.” (Int. No. 1005.)

“An act to amend the Penal Code, in relation to furnishing libelous information.” (Int. No. 1180.)

The privileges of the floor were granted to Hon. C. M. Titus, a former member of this House.

On motion of Mr. Ainsworth, the House adjourned.

TUESDAY, APRIL 3, 1894.

The House met pursuant to adjournment.

Prayer by Rev. George D. Silliman.

On motion of Mr. F. F. Schulz, the journal of yesterday was approved without being read.

Mr. O’Grady, from the committee on public education, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1340,

entitled "An act to amend section 22 of chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburgh, as amended by chapter 70 of the Laws of 1881," reported in favor of the passage of the same with the following amendment :

Page 2, line 21, strike out the word "or" and insert the word "for."

JAMES M. E. O'GRADY,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

The Senate returned the bill (No. 873) entitled "An act to provide for the employment of State prison convicts upon the public highway, and repealing chapter 312 of the Laws of 1893" (Int. No. 800), with a message that they have concurred in the passage of the same with the following amendments :

Section 1, line 4, strike out the word "highway" and insert the word "highways."

Section 3, line 3, strike out the word "highway" and insert the word "highways."

Same section, line 7, strike out the word "highway" and insert the word "highways."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Kern	Robbins	Stone
Babcock	Dinkelspiel	La Fetra	Robertson	Sulzer
Baker	Dowling	Lasch	Robinson	Terry, C.W.
Berry	Fairbrother	Lawson	Roche	Terry, J.F.
Braun	Fish	Lee	Ryder, E.L.	Thompson
Brennan	Friday	Lounsbury	Scanlon	Thornton
Brownell	Fuller	Loonan	Schillinger	Tilton
Burtis	Gardiner	Marrin	Schulz, F.F.	Tobin
Butts	Gould	Matthews	Schulz, H	Trainor
Cain	Harrigan	Melody	Sheffield	Tuttle
Carroll	Herrman	Messiter	Sherwood	Van Amber
Cassin	Hobbie	Mittnacht	Smith, M.F.	Vehslage
Chapman	Horton	O'Grady	Smith, S.W.	Wells

Clark, F.E.	Hotaling	Parkhurst	Snyder	Whittet
Clark, J. H.	Houghton	Porter	Southworth	Wieman
Cutler	Keck	Prescott	Stadtfeld	Wilcox
Davidson	Keenan	Reilly	Stewart	Wyckoff
Dean	Kelsey	Rider, J.J.		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

By unanimous consent,

Mr. O'Grady introduced a bill entitled "An act to incorporate the Children's Aid Society of Rochester" (Int. No. 1387), which was read the first time and referred to the committee on affairs of cities.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Lawson, Int. No. 1300, entitled "An act to release from assessments heretofore levied on certain real estate of Saint John's Methodist Episcopal church in the city of New York, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Burtis, Int. No. 1336, entitled "An act to amend section 5 of chapter 447 of the Laws of 1892, entitled 'An act to amend chapter 366 of the Laws of 1878, entitled An act to incorporate the Brooklyn Church Society of the Methodist Episcopal church,'" reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 421, entitled "An act to amend section 2728 of the Code of Civil Procedure, relative to judicial settlement of accounts of executors and administrators" (Rec. No. 100), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills :

"An act to make the office of the clerk of the superior court of Buffalo a salaried office and regulating the management of said office" (No. 443, Rec. No. 295), which was read the first time and referred to the committee on affairs of cities.

"An act relating to the construction of a viaduct over the railroad tracks where the same intersect the line of Chenango street in the city of Binghamton" (No. 652, Rec. No. 296), which was read the first time and referred to the committee on affairs of cities.

"An act to facilitate State commerce by increasing the lockage capacity of the Erie and Oswego canals, and by improving the Erie, Oswego, Black River, Seneca, Cayuga and Champlain, and the Seneca lake level of the Chemung canal, and making appropriations therefor" (No. 471, Rec. No. 238), which was read the first time and referred to the committee on canals.

The Senate returned the Senate bill No. 402, Rec. No. 86, entitled "An act relating to inspectors of election, poll clerks and ballot clerks in all of the towns and cities of the State, except the city of Brooklyn," with a message that they have concurred in the amendments of the Assembly made thereto, and have further amended said bill as follows :

Section 2, line 1, add the letter "s" to the word "officer."

Amend section 10 so as to read as follows :

"§ 10. This act shall take effect July 1, 1894."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Porter	Southworth
Babcock	Dowling	Kelsey	Prescott	Stadtfeld
Baker	Fairbrother	Kerr	Rider, J.J.	Stevens
Berry	Finnigan	Kern	Robbins	Stewart
Braun	Fish	Kerrigan	Robertson	Stone
Brennan	Foley	La Fetra	Robinson	Sulzer
Brownell	Friday	Lasch	Robson	Taylor
Burtis	Fuller	Lawson	Roche	Ferry, C.W.
Butts	Gleason	Lee	Ryder, E.L.	Terry, J.F.

Cain	Glenn	Lounsbury	Scanlon	Thompson
Callahan	Gould	Loonan	Schillinger	Tilton
Carroll	Harrigan	Marrin	Schulz, F.F.	Trainor
Cassin	Hennessy	Matthews	Schulz, H	Tuttle
Chapman	Herrman	Melody	Seibert	Wells
Clark, F.E.	Hobbie	Messiter	Sheffield	Whittet
Coughlin	Hoefler	Mittnacht	Sherwood	Wieman
Cutler	Horton	O'Donnell	Smith, M.F.	Wilcox
Davidson	Houghton	O'Grady	Smith, S.W.	Wyckoff
Dean	Howe	Parkhurst	Snyder	Speaker

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their further amendments.

The Senate returned the bill (No. 1040) entitled "An act to amend the agricultural law, in relation to the distribution of money for agricultural purposes, and repealing certain acts and parts of acts" (Int. No. 636), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Roche moved to substitute Senate bill (No. 833) entitled "An act to provide for the construction and improvement of Corlears Hook Park in the city of New York" (Int. No. 280), for Assembly bill No. 1355, Int. No. 1234, same title and subject, now on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1278) entitled "An act to amend section 2 of chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners'" (Int. No. 205), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Finnigan	Keenan	Porter	Smith, S.W.
Babcock	Fish	Keleher	Prescott	Snyder
Baker	Foley	Kelsey	Reilly	Southworth
Berry	Friday	Kerr	Rider, J.J.	Stadtfield
Braun	Fuller	Kern	Robbins	Stewart

Brennan	Gardiner	Kerrigan	Robertson	Stone
Brownell	Gerst	La Fetra	Robinson	Sulzer
Burtis	Gleason	Lasch	Robson	Taylor
Butts	Glenn	Lawson	Roche	Terry, C.W.
Cain	Gould	Lee	Ryder, E.L.	Terry, J.F.
Carroll	Harrigan	Lounsbury	Scanlon	Thornton
Cassin	Hennessy	Loonan	Schillinger	Tilton
Chambers	Herrman	Marrin	Schoepflin	Tuttle
Clark, F.E.	Hobbie	Melody	Schulz, F.F.	Van Amber
Clark, J. H.	Hoefler	Messiter	Schulz, H	Vehslage
Dean	Horton	Mittnacht	Seibert	Wells
Dinkelspiel	Houghton	O'Donnell	Sheffield	Whittet
Dowling	Howe	O'Grady	Sherwood	Wieman
Fairbrother	Keck	Parkhurst	Smith, M.F.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Denniston	Howe	Reilly	Stewart
Babcock	Dinkelspiel	Keck	Rider, J.J.	Stone
Baker	Dowling	Kelsey	Robbins	Sulzer
Berry	Fairbrother	Kerr	Robertson	Taylor
Braun	Finnigan	Kern	Robinson	Terry, C.W.
Brennan	Fish	Kerrigan	Robson	Terry, J.F.
Brownell	Foley	La Fetra	Roche	Thompson
Burtis	Friday	Lasch	Ryder, E.L.	Thornton
Butts	Fuller	Lawson	Scanlon	Tilton
Cain	Gardiner	Lee	Schillinger	Tobin
Callahan	Gerst	Lounsbury	Schoepflin	Trainor
Carroll	Gleason	Loonan	Schulz, F.F.	Tuttle
Cassin	Glenn	Marrin	Schulz, H	Van Amber
Chambers	Gould	Matthews	Seibert	Vehslage
Chapman	Harrigan	Melody	Sheffield	Wells
Clark, F.E.	Hennessy	Messiter	Sherwood	Whittet
Clark, J. H.	Herrman	Mittnacht	Smith, M.F.	Wieman
Coughlin	Hoefler	O'Donnell	Smith, S.W.	Wilcox
Cutler	Horton	O'Grady	Snyder	Wray
Davidson	Hotaling	Porter	Southworth	Wyckoff
Dean	Houghton	Prescott	Stevens	Speaker

The clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with

Messrs. Parkhurst, Bush, Myers, Hobbie, Stadtfeld, Keleher and Keenan, each of whom, upon giving satisfactory explanation for having been absent, was excused.

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth moved to take from the table the bill (No. 1054) entitled "An act to amend title 12 of chapter 77 of the Laws of 1870, entitled 'the police department.'" (Int. No. 510.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
{ NOES 35 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Lawson	Scanlon	Terry, C W.
Babcock	Gardiner	Lee	Schoepflin	Terry, J.F.
Baker	Gerst	Lounsbury	Schulz, F.F.	Thompson
Braun	Glenn	Matthews	Schulz, H	Thornton
Brownell	Gould	Messiter	Seibert	Tilton
Burtis	Hobbie	O'Grady	Sheffield	Tuttle
Chambers	Hoefler	Parkhurst	Sherwood	Van Amber
Clark, F.E.	Horton	Porter	Smith, M.F.	Wells
Clark, J. H.	Hotaling	Prescott	Smith, S.W.	Whittet
Cutler	Houghton	Rider, J.J.	Snyder	Wieman
Dean	Howe	Robbins	Stevens	Wilcox
Denniston	Keck	Robertson	Stewart	Wray
Fairbrother	Kelsey	Robson	Stone	Wyckoff
Fish	Kern	Ryder, E.L.	Taylor	Speaker
Friday				

Those who voted in the negative, were

Berry	Chapman	Harrigan	La Fetra	Roche
Brennan	Davidson	Hennessy	Lasch	Schillinger
Butts	Dinkelspiel	Herrman	Marrin	Southworth
Cain	Dowling	Keenan	Melody	Stadtfeld

Callahan	Finnigan	Keleher	O'Donnell	Sulzer
Carroll	Foley	Kerr	Reilly	Tobin
Cassin	Gleason	Kerrigan	Robinson	Vehslage

Said bill having been announced for a third reading,

Mr. Carroll moved to recommit said bill to the committee on affairs of cities for a further hearing and printed, retaining its place on the order of third reading.

Mr. Sulzer raised the point of order that this bill having been materially amended under the rules could not be considered until it had been reprinted.

Mr. Speaker decided the point of order not well taken.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Carroll, and it was determined in the negative.

Debate being had thereon,

Mr. Fish moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill, as amended, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
{ NOES 43 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Lee	Scanlon	Terry, C.W.
Babcock	Gardiner	Lounsbury	Schoepflin	Terry, J.F.
Baker	Gerst	Matthews	Schulz, F.F.	Thompson
Braun	Glenn	Messiter	Schulz, H	Thornton
Brownell	Gould	Nixon	Seibert	Tilton
Burtis	Hobbie	O'Grady	Sheffield	Tuttle
Chambers	Hoefer	Parkhurst	Sherwood	Van Amber
Clark, F.E.	Horton	Porter	Smith, M.F.	Wells
Clark, J. H.	Hotaling	Prescott	Smith, S.W.	Whittet
Cutler	Houghton	Rider, J.J.	Snyder	Wieman
Dean	Howe	Robbins	Stevens	Wilcox
Denniston	Keck	Robertson	Stewart	Wray
Fairbrother	Kelsey	Robson	Stone	Wyckoff
Fish	Kern	Ryder, E.L.	Taylor	Speaker
Friday	Lawson			

Those who voted in the negative, were

Berry	Coughlin	Hennessey	McKeon	Schillinger
Bush	Davidson	Herrman	Melody	Southworth
Butts	Dinkelspiel	Keenan	Mittnacht	Stadtfield
Cahill	Douglas	Keleher	O'Donnell	Stein
Cain	Dowling	Kerr	Plant	Sulzer
Callahan	Finnigan	Kerrigan	Reilly	Tobin
Carroll	Foley	La Fetra	Robinson	Trainor
Cassin	Gleason	Lasch	Roche	Vehslage
Chapman	Harrigan	Marrin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth gave notice that at some future date he would move to suspend Assembly Rules 3, 15, 16, 17, 28, 29 and 49, for the purpose of reading out of its order Assembly bill No. 776, entitled "An act to amend chapter 304 of the Laws of 1892, entitled 'An act to provide for the appointment of a board of water commissioners for the city of Albany,'" now on the order of third reading.

The Senate sent for concurrence the bill (No. 795) entitled "An act to amend chapter 25 of the Laws of 1894, entitled 'An act to amend subdivisions 1 and 2 of the twenty-first paragraph of section 194 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, in relation to the New York Society for the Prevention of Cruelty to Children'" (Rec. No. 297), was read the first time.

Mr. Sulzer asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keenan	Plant	Stein
Babcock	Fairbrother	Keleher	Porter	Stevens
Baker	Fish	Kelsey	Prescott	Stewart

Berry	Foley	Kerr	Rider, J.J.	Stone
Braun	Friday	Kern	Robbins	Sulzer
Brownell	Fuller	Kerrigan	Robertson	Terry, C.W.
Burtis	Gardiner	La Fetra	Robinson	Terry, J.F.
Butts	Gleason	Lawson	Roche	Thompson
Cahill	Glenn	Lee	Ryder, E.L.	Thornton
Callahan	Gray	Marrin	Scanlon	Tobin
Cassin	Harrigan	Matthews	Schillinger	Trainor
Chambers	Hennessy	McDermott	Schulz, F.F.	Tuttle
Clark, J. H.	Higbie	McKeon	Schulz, H	Van Amber
Cutler	Hobbie	Melody	Sheffield	Vehslage
Davidson	Hoelder	Messiter	Sherwood	Wells
Dean	Hotaling	Mittnacht	Smith, M.F.	Wieman
Denniston	Howe	Myers	Smith, S.W.	Wilcox
Dinkelspiel	Hoysradt	Nixon	Snyder	Wray
Douglas	Keck	O'Grady	Stadtfeld	Wyckoff
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Harrigan presented a minority report of the committee on privileges and elections in the matter of the contested seat in the Assembly, for the seventh district of Kings county, between Stillman F. Kneeland, contestant, and William Hughes, contestee, which was laid upon the table and ordered printed.

(See Document.)

The bill (No. 1269) entitled "An act to amend the Code of Civil Procedure, relating to publication of notices" (Int. No. 990), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kelsey	Porter	Stevens
Babcock	Fairbrother	Kerr	Prescott	Stewart
Baker	Finnigan	Kern	Rider, J.J.	Stone
Berry	Fish	Kerrigan	Robbins	Sulzer
Braun	Foley	Lasch	Robertson	Taylor
Brownell	Friday	Lawson	Robinson	Terry, C.W

Burtis	Gardiner	Lee	Robson	Terry, J.F.
Bush	Gerst	Loonan	Roche	Thompson
Butts	Gleason	Marrin	Ryder, E.L.	Thornton
Cain	Glenn	Matthews	Scanlon	Tilton
Callahan	Gould	McGuire	Schillinger	Tobin
Carroll	Hennessy	McKeon	Schulz, F.F.	Trainor
Clark, J. H.	Herrman	McNamee	Seibert	Vacheron
Coughlin	Higbie	Melody	Sheffield	Van Amber
Cutler	Hobbie	Messiter	Sherwood	Vehslage
Davidson	Hoefler	Mittnacht	Smith, M.F.	Wells
Dean	Hotaling	Myers	Snyder	Wieman
Denniston	Howe	O'Donnell	Southworth	Wilcox
Dinkelspiel	Hughes	O'Grady	Stadtfeld	Wray
Douglas	Keck	Plant	Stein	Wyckoff
Dowling	Keenan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Burtis called from the table the bill (No. 915) entitled "An act in relation to the government of the city of Brooklyn" (Int. No. 566), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 2 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keenan	Plant	Stein
Babcock	Fairbrother	Keleher	Porter	Stevens
Baker	Finnigan	Kelsey	Prescott	Stewart
Berry	Fish	Kerr	Rider, J.J.	Stone
Braun	Foley	Kern	Robbins	Terry, C.W.
Brownell	Friday	Kerrigan	Robertson	Terry, J.F.
Burtis	Fuller	Lawson	Robson	Thompson
Bush	Gardiner	Lee	Roche	Thornton
Butts	Glenn	Loonan	Scanlon	Tilton
Callahan	Gould	Marrin	Schillinger	Tuttle
Carroll	Harrigan	Matthews	Schulz, H	Vacheron
Chambers	Herrman	McDermott	Seibert	Van Amber
Clark, J. H.	Hobbie	McNamee	Sheffield	Vehslage
Corrigan	Hoefler	Melody	Sherwood	Wells
Cutler	Horton	Mittnacht	Smith, M.F.	Wieman
Davidson	Hotaling	Myers	Smith, S.W.	Wilcox

Dean	Houghton	O'Grady	Snyder	Wray
Denniston	Howe	Parkhurst	Stadtfeld	Wyckoff
Dinkelspiel	Keck			

Those who voted in the negative, were
Dowling Hennessy

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Stevens introduced a bill entitled "An act in relation to the public lands, constituting chapter 11 of the general laws" (Int. No. 1398), which was read the first time.

Mr. Stevens asked unanimous consent that said bill have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keenan	Parkhurst	Stadtfeld
Babcock	Fairbrother	Kelsey	Plant	Stein
Baker	Fish	Kerr	Porter	Stevens
Berry	Foley	Kern	Prescott	Stewart
Braun	Friday	Kerrigan	Rider, J.J.	Stone
Brownell	Fuller	La Fetra	Robbins	Sulzer
Burtis	Gardiner	Lasch	Robertson	Terry, C.W.
Bush	Gerst	Lawson	Robson	Terry, J.F.
Butts	Glenn	Lee	Roche	Thornton
Carroll	Gould	Marrin	Ryder, E.L.	Tilton
Chambers	Gray	Matthews	Scanlon	Tobin
Clark, J. H.	Hennessy	McDermott	Schillinger	Tuttle
Corrigan	Herrman	McKeon	Schoepflin	Vacheron
Coughlin	Higbie	McNamee	Schulz, H	Van Amber
Cutler	Hobbie	Melody	Seibert	Vehslage
Davidson	Hoefer	Messiter	Sheffield	Wells
Dean	Hotaling	Mittnacht	Sherwood	Whittet
Denniston	Howe	Myers	Smith, M.F.	Wilcox
Dinkelspiel	Hoysradt	Nixon	Smith, S.W.	Wray
Douglas	Keck	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. F. F. Schulz introduced a bill entitled "An act to prohibit the manufacture or sale of pearl buttons, or any article manufactured from pearl shells, in any prison or penitentiary in the State of New York" (Int. No. 1400), which was read the first time and referred to the committee on labor and industries.

By unanimous consent,

Mr. Keck introduced a bill entitled "An act to legalize and validate the election of town officers of the town of Morehouse, county of Hamilton" (Int. No. 1399), which was read the first time.

Mr. Keck asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	98	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Douglass	Hughes	Mittnacht	Snyder
Babcock	Dowling	Keck	Myers	Southworth
Baker	Eldredge	Keenan	O'Donnell	Stein
Berry	Fairbrother	Keleher	O'Grady	Stevens
Braun	Fish	Kelsey	Plant	Stewart
Brownell	Foley	Kerr	Porter	Stone
Burtis	Friday	Kern	Prescott	Sulzer
Bush	Fuller	Kerrigan	Rider, J.J.	Taylor
Butts	Gardiner	La Fetra	Robinson	Terry, J.F.
Cain	Gleason	Lasch	Robson	Thornton
Carroll	Glenn	Lawson	Ryder, E.L.	Tilton
Chambers	Gould	Lee	Scanlon	Tuttle
Clark, J. H.	Gray	Loonan	Schoepflin	Vacheron
Corrigan	Harrigan	Marrin	Schulz, H	Van Amber
Coughlin	Hennessey	Matthews	Seibert	Wells
Cutler	Herrman	McDermott	Sheffield	Whittet

Davidson	Hobbie	McGuire	Sherwood	Wieman
Dean	Hoefer	McKeon	Smith, M.F.	Wilcox
Denniston	Hotaling	McNamee	Smith, S.W.	Wray
Dinkelspiel	Howe	Melody		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. O'Grady in the chair.

The hour of one o'clock having arrived,

Mr. Speaker announced the special order of the day, being the resolution offered by Mr. Fish in the words following :

Resolved, That this House expresses its hearty commendation of the report of the State Board of Charities relative to the management of the Elmira reformatory.

Mr. Fish offered the following as a substitute :

Resolved, That the House hereby expresses its appreciation of the arduous and distinguished services rendered to the State by the members of the State Board of Charities, and declares unreserved confidence in the good faith and ability and impartiality with which said board has conducted the investigation of the management of the Elmira reformatory.

Debate being had thereon,

Mr. Bush moved to refer the resolution to the committee on the judiciary to allow the managers and general superintendent of said reformatory to be heard, said committee to report on Friday morning, and upon that motion moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Bush, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. Fish, and it was determined in the affirmative.

The bill (No. 1268) entitled "An act providing for the acquirement of lands for the Adirondack park under the right of eminent domain" (Int. No. 1175), was read the second time.

On motion of Mr. Thornton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 248) entitled "An act to amend section 214 of chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations, constituting chapter 38 of the general laws'" (Int. No. 249), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1200) entitled "An act making appropriation for the construction and repair of a stone wall in the village of Fort Edward, located on South Broadway, near the aqueduct of the Champlain canal" (Int. No. 1069), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, after the word "paid" insert the words "by the trustees," and after the word "appropriated" insert a comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1405) entitled "An act to provide for the construction of roads by local assessment, county and State aid" (Int. No. 1031), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "district" insert a "—"

Page 2, line 3, after the word "engineer" insert the words "and surveyor."

Page 3, line 4, after the word "engineer" insert the words "and surveyor."

Same page, line 9, after the word "engineer" insert the words "and surveyor."

Same page, line 14, after the word "engineer" insert the words "and surveyor."

Same page, line 19, after the word "engineer" insert the words "and surveyor."

Page 4, line 12, after the word "engineer" insert the words "and surveyor."

Same page, line 14, after the word "engineer" insert the words "and surveyor."

Same page, line 17, after the word "engineer" insert the words "and surveyor."

Page 5, line 15, after the word "engineer" insert the words "and surveyor."

Same page, line 16, after the word "engineer" insert the words "and surveyor."

Page 6, line 1, after the word "engineer" insert the words "and surveyor."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1026) entitled "An act to amend chapter 690 of the Laws of 1892, entitled 'the insurance law'" (Int. No. 942), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "two" insert the words "entitled 'An act in relation to insurance corporations,' constituting chapter 38 of the general laws."

Same page, line 9, after word "shall" strike out the comma.

Amend the title so as to read as follows:

"An act to amend the insurance law, relating to estimates of liabilities and percentage chargeable on renewed premiums."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The privileges of the floor were extended to Messrs. John J. Mott and Joseph Crouch, former members of this House.

Leave of absence was granted to Messrs. Vacheron, Higbie, Eldredge and Hoysradt until Wednesday.

The Senate bill (not printed) entitled "An act to facilitate obtaining water from Skaneateles lake for the use of the city of Syracuse and its inhabitants" (Rec. No. 135), having been announced for a second reading,

Mr. Wells moved to amend the same as follows:

Page 2, line 4, strike out the word "on" and insert the word "or."

Said bill as amended, was read the second time and placed on the order of third reading.

Mr. Schoepflin called from the table the bill (No. 1412) entitled "An act to amend the highway law, relative to the county roads and to the money system of working the highways" (Rec. No. 967), previously laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Schoepflin moved to amend as follows:

Page 8, section 57, line 18, strike out the word "thirty" and insert the word "forty."

Said bill as amended, was read the second time placed on the order of third reading and referred to the committee on revision.

Mr. Sulzer gave notice that at ten o'clock to-morrow morning he would move a close call of the House.

Mr. Ainsworth moved that the House adjourn to meet at 8.30 o'clock this evening.

Mr. Sulzer moved to amend that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sulzer, and it was determined in the negative.

{ AYES 42 }
{ NOES 54 }

Those who voted in the affirmative, were

Berry	Coughlin	Keenan	McKeon	Schillinger
Brennan	Davidson	Keleher	Melody	Southworth
Bush	Dinkelspiel	Kerr	Mittnacht	Stadtfeld
Butts	Douglas	Kerrigan	O'Donnell	Stein
Cahill	Dowling	La Fetra	Plant	Sulzer
Cain	Foley	Lasch	Reilly	Tobin
Callahan	Gleason	Loonan	Robinson	Trainor
Carroll	Herrman	Marrin	Roche	Vehslage
Chapman	Hughes			

Those who voted in the negative, were

Ainsworth	Gardiner	Kern	Robson	Taylor
Babcock	Gerst	Lawson	Scanlon	Terry, C W.
Burtis	Glenn	Lee	Schoepflin	Thompson
Chambers	Gray	Matthews	Schulz, H	Thornton
Clark, J. H.	Hobbie	Nixon	Seibert	Van Amber
Cutler	Hoefer	O'Grady	Sheffield	Wells
Denniston	Horton	Parkhurst	Sherwood	Whittet
Fairbrother	Houghton	Porter	Smith, M.F.	Wieman
Fish	Howe	Rider, J.J.	Snyder	Wilcox
Friday	Keck	Robbins	Stewart	Wray
Fuller	Kelsey	Robertson	Stone	

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

Whereupon, the House took a recess until 8.30 o'clock P. M.

EIGHT O'CLOCK AND THIRTY MINUTES P. M.

The House again met.

Mr. Speaker announced the calendar of the day.

Mr. Ainsworth in the chair.

The Senate bill (No. 325) entitled "An act providing for the formation, management and supervision of co-operative and loan

associations" (Rec. No. 126), having been announced for a third reading,

Mr. Keck moved to recommit said bill to the committee on banks, with instruction to amend as follows and report forthwith:

Page 17, line 4, strike out the letter "s" in the word "articles," and strike out the words "Five and."

Strike out section 26.

Make section 27 section 26

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 42 }
{ NOES 63 }

Those who voted in the affirmative, were

Ainsworth	Gardiner	Keenan	Robinson	Stewart
Babcock	Gleason	Keleher	Robson	Terry, J.F.
Baker	Glenn	Kerr	Ryder, E.L.	Thompson
Callahan	Gould	Kern	Sherwood	Tilton
Chambers	Harrigan	Myers	Smith, M.F.	Tuttle
Clark, J. H.	Hobbie	Parkhurst	Snyder	Wells
Douglas	Horton	Prescott	Southworth	Wilcox
Eldredge	Hotaling	Rider, J.J.	Stevens	Wyckoff
Fuller	Keck			

Those who voted in the negative, were

Braun	Dowling	Hughes	Reilly	Stadtfeld
Brownell	Fairbrother	Kelsey	Robbins	Stein
Burtis	Finnigan	Kerrigan	Robertson	Stone
Bush	Fish	La Fetra	Roche	Sulzer
Butts	Foley	Lasch	Scanlon	Taylor
Cahill	Friday	Lawson	Schillinger	Thornton
Carroll	Gerst	Loonan	Schoepflin	Tobin
Chapman	Gray	Marrin	Schulz, F.F.	Trainor
Clark, F.E.	Hennessy	McDermott	Schulz, H	Van Amber
Corrigan	Herrman	McKeon	Seibert	Vehslage
Davidson	Hoefler	Melody	Sheffield	Whittet
Denniston	Houghton	Nixon	Smith, S.W.	Wieman
Dinkelspiel	Howe	O'Grady		

The committee on banks reported back said bill amended as instructed by the House.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
 { NOES 4 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	Nixon	Smith, S.W.
Babcock	Eldredge	Hoysradt	O'Grady	Snyder
Baker	Fairbrother	Hughes	Reilly	Stadtfield
Berry	Finnigan	Keenan	Rider, J.J.	Stein
Braun	Fish	Kelsey	Robbins	Stevens
Brownell	Foley	Kerr	Robertson	Stone
Burtis	Friday	Kern	Robinson	Sulzer
Butts	Fuller	Kerrigan	Robson	Taylor
Carroll	Gardiner	La Fetra	Roche	Thornton
Chambers	Gerst	Lasch	Scanlon	Tilton
Chapman	Gleason	Lawson	Schillinger	Tobin
Clark, F.E.	Gray	Lee	Schoepflin	Trainor
Clark, J. H.	Harrigan	Loonan	Schulz, F.F.	Tuttle
Corrigan	Hennessy	Marrin	Schulz, H	Van Amber
Coughlin	Herrman	McDermott	Seibert	Vehslage
Denniston	Hobbie	Melody	Sheffield	Whittet
Dinkelspiel	Hoefler	Myers		

Those who voted in the negative, were

Keck Ryder, E.L. Terry, J.F. Wells

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (1193) entitled "An act to amend the county law, relative to the compensation of the county judge of Oneida county" (Int. No. 1062), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Rider, J.J.	Stadtfield
Babcock	Finnigan	Kerr	Robbins	Stein
Baker	Fish	Kern	Robertson	Stevens
Berry	Foley	Kerrigan	Robinson	Stewart
Braun	Friday	La Fetra	Robson	Stone
Brownell	Fuller	Lasch	Roche	Taylor
Burtis	Gardiner	Lawson	Ryder, E.L.	Terry, J.F.

Bush	Gerst	Lee	Scanlon	Thompson
Butts	Glenn	Loonan	Schillinger	Thornton
Carroll	Gould	Marrin	Schoepflin	Tilton
Chambers	Gray	McKeon	Schulz, F.F.	Trainor
Chapman	Herrman	Melody	Schulz, H	Tuttle
Clark, F.E.	Hobbie	Messiter	Seibert	Van Amber
Corrigan	Hoefler	Myers	Sherwood	Vehslage
Davidson	Hotaling	Nixon	Smith, M.F.	Wells
Dinkelspiel	Houghton	O'Grady	Smith, S.W.	Whittet
Douglas	Keck	Porter	Snyder	Wieman
Eldredge	Keenan	Reilly	Southworth	Wray

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1204) entitled "An act to amend title 14 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of buildings" (Int. No. 804), having been announced for a third reading,

On motion of Mr. Taylor, said bill was amended as follows:

Page 25, line 14, insert a hyphen between the word "cast" and "iron," making it a compound word.

Page 28, line 15, change the word "commissioners" to "commissioner."

Page 51, line 6, change the word "as" between the word "so" and "their" to "at."

Page 53, line 19, insert a period after the word "buildings"; also, in same page, same line, capitalize the word "such."

Page 74, line 17, strike out the word "the."

Page 76, line 22, insert the word "fire" between the words "the" and "department."

Page 84, line 12, change the comma after the word "department" to a period.

Same page, same line, change the capital "A" in the word "acting" to a small "a."

Page 85, line 4, after the word "of" insert a letter "a."

Same page, line 4, strike out the letter "s" at the end of the word "notices."

Page 89, line 25, strike out the word "exclusive" and insert the word "conclusive."

Page 98, line 10, strike out the word "sixty-two" and insert word "sixty-one."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	Messiter	Snyder
Babcock	Eldredge	Hoysradt	Myers	Southworth
Baker	Fairbrother	Hughes	Nixon	Stadtfeld
Berry	Finnigan	Keck	O'Grady	Stein
Braun	Fish	Keenan	Prescott	Stevens
Brownell	Foley	Kelsey	Rider, J.J.	Stewart
Burtis	Friday	Kerr	Robinson	Sulzer
Bush	Fuller	Kern	Robson	Taylor
Butts	Garliner	Kerrigan	Roche	Thornton
Carroll	Gerst	La Fetra	Scanlon	Tilton
Chambers	Glenn	Lasch	Schillinger	Trainor
Chapman	Gould	Lawson	Schoepflin	Tuttle
Clark, F.E.	Gray	Lee	Schulz, F.F.	Van Amber
Corrigan	Harrigan	Lounsbury	Schulz, H	Vehslage
Coughlin	Herrman	Loonan	Seibert	Wells
Davidson	Hoefer	Marrin	Sheffield	Whittet
Denniston	Horton	McDermott	Sherwood	Wieman
Dinkelspiel	Hotaling	McKeon	Smith, M.F.	Wray
Douglas	Houghton	Melody	Smith, S.W.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1156) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo'" (Int. No. 1156), having been announced for a third reading,

On motion of Mr. Seibert, the committee on affairs of cities was discharged from the consideration of Senate bill No. 659, Rec. No. 292, same title and subject, and that the same be substituted for the Assembly bill now on the order of third reading.

Said Senate bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
 { NOES 00 }

Those who voted in the affirmative, were

Berry	Eldredge	Hughes	Rider, J.J.	Stevens
Braun	Fairbrother	Keenan	Robbins	Stewart
Brennan	Foley	Keleher	Robertson	Stone
Brownell	Friday	Kelsey	Robson	Sulzer
Bush	Fuller	Kerr	Roche	Taylor
Butts	Gardiner	Kerrigan	Scanlon	Terry, J.F.
Carroll	Gerst	Lasch	Schoepflin	Thornton
Chambers	Glenn	Lawson	Schulz, F.F.	Tilton
Chapman	Gould	Lee	Schulz, H	Tobin
Clark, F.E.	Gray	Lounsbury	Seibert	Trainor
Clark, J.H.	Herrman	Marrin	Sheffield	Van Amber
Corrigan	Higbie	McKeon	Sherwood	Vehslage
Coughlin	Hobbie	Melody	Smith, M.F.	Wells
Dean	Hoefler	Messiter	Smith, S.W.	Whittet
Denniston	Horton	Myers	Snyder	Wieman
Dinkelspiel	Houghton	O'Donnell	Southworth	Wray
Douglas	Howe	Prescott	Stadtfeld	Wyckoff
Dowling	Hoysradt			

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1424) entitled "An act to incorporate the New York Zoological and Botanical Gardens, and to provide for the establishment of zoological and botanical gardens in the city of New York" (Int. No. 453), having been announced for a third reading,

On motion of Mr. Sheffield, said bill was laid aside, retaining its place on the order of third reading.

Mr. Thornton in the chair.

The bill (No. 1279) entitled "An act to amend chapter 458 of the Laws of 1884, entitled 'An act to provide additional accommodations for the common schools in the city of New York,' as amended and extended by chapter 494 of the Laws of 1885, chapter 456 of the Laws of 1886, chapter 136 of the Laws of 1888, chapter 252 of the Laws of 1889, chapter 264 of the Laws of 1891, and chapter 282 of the Laws of 1893" (Int. No. 142), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kerr	Prescott	Stadtfeld
Babcock	Friday	Kern	Rider, J.J.	Stein
Baker	Fuller	Kerrigan	Robbins	Stevens
Berry	Gardiner	La Fetra	Robertson	Stewart
Braun	Gerst	Lasch	Robinson	Sulzer
Brennan	Glenn	Lawson	Robson	Taylor
Brownell	Gould	Lee	Roche	Thompson
Burtis	Gray	Lounsbury	Scanlon	Thornton
Chambers	Herrman	Loonan	Schillinger	Tilton
Chapman	Hoeffer	Marrin	Schoepflin	Tobin
Clark, F. E.	Horton	McDermott	Schulz, H.	Trainor
Clark, J. H.	Hotaling	McKeon	Seibert	Tuttle
Cutler	Houghton	Melody	Sheffield	Van Amber
Davidson	Howe	Messiter	Sherwood	Wells
Dinkelspiel	Hoysradt	Myers	Smith, M.F.	Whittet
Dowling	Keenan	Nixon	Smith, S.W.	Wieman
Eldredge	Keleher	Plant	Snyder	Wyckoff
Fairbrother	Kelsey	Porter		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1349) entitled "An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants" (Int. No. 439), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Prescott	Stein
Baker	Finnigan	Kelsey	Reilly	Stevens
Berry	Foley	Kerr	Rider, J.J.	Stewart
Brennan	Friday	Kerrigan	Robertson	Sulzer
Brownell	Fuller	La Fetra	Robinson	Taylor
Burtis	Gardiner	Lasch	Robson	Terry, C.W.
Bush	Gleason	Lawson	Ryder, E.L.	Thompson
Butts	Gray	Lee	Scanlon	Thornton

Callahan	Harrigan	Lounsbury	Schillinger	Tilton
Carroll	Hennessy	Loonan	Schoepflin	Tobin
Chambers	Herrman	Marrin	Schulz, F.F.	Trainor
Chapman	Hobbie	McDermott	Schulz, H	Tuttle
Clark, F.E.	Hoefler	McKeon	Seibert	Van Amber
Clark, J. H.	Houghton	Melody	Sheffield	Vehslage
Corrigan	Hotaling	Messiter	Sherwood	Wells
Coughlin	Howe	Mittnacht	Smith, M.F.	Whittet
Davidson	Hoysradt	Nixon	Smith, S.W.	Wieman
Denniston	Hughes	Plant	Snyder	Wray
Dinkelspiel	Keck	Porter	Stadtfeld	Wyckoff
Dowling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1256) entitled "An act to amend the Code of Civil Procedure, relating to sheriffs' fees" (Int. No. 1120), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kelsey	Prescott	Stone
Baker	Fairbrother	Kerr	Robbins	Sulzer
Berry	Finnigan	Kerrigan	Robertson	Terry, C.W.
Braun	Foley	La Fetra	Robson	Terry, J.F.
Brownell	Friday	Lasch	Roche	Thompson
Bush	Fuller	Lawson	Scanlon	Thornton
Carroll	Gardiner	Lee	Schillinger	Tilton
Chambers	Gerst	Lounsbury	Schoepflin	Tobin
Chapman	Glenn	Loonan	Schulz, F.F.	Trainor
Clark, F.E.	Gould	Marrin	Schulz, H	Tuttle
Clark, J. H.	Gray	Matthews	Seibert	Van Amber
Cutler	Hennessy	McDermott	Sherwood	Vehslage
Davidson	Hobbie	McKeon	Smith, M.F.	Wells
Dean	Horton	Melody	Smith, S.W.	Whittet
Denniston	Hotaling	Messiter	Stadtfeld	Wieman
Dinkelspiel	Houghton	Nixon	Stein	Wray
Douglas	Hoysradt	Plant	Stevens	Wyckoff
Dowling	Keleher	Porter	Stewart	

In the negative,

Burtis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 549) entitled "An act to amend the public health law" (Int. No. 515), having been announced for a third reading,

On motion of Mr. Bush, said bill was laid aside.

The Senate bill (No. 224) entitled "An act to incorporate the Metropolis Finance Company of New York" (Int. No. 227), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Hotaling	Nixon	Stadtfeld
Babcock	Dowling	Houghton	O'Donnell	Stevens
Baker	Eldredge	Howe	Prescott	Stewart
Berry	Fairbrother	Keleher	Reilly	Stone
Brennan	Finnigan	Kelsey	Rider, J.J.	Sulzer
Brownell	Foley	Kerr	Robbins	Terry, C.W.
Burtis	Friday	Kerrigan	Robertson	Thompson
Bush	Fuller	La Fetra	Roche	Thornton
Carroll	Gardiner	Lasch	Ryder, E.L.	Tilton
Cassin	Gerst	Lawson	Scanlon	Tobin
Chambers	Glenn	Lee	Schillinger	Trainor
Clark, F.E.	Gould	Lounsbury	Schoepfin	Tuttle
Clark, J. H.	Gray	Loonan	Schulz, F.F.	Van Amber
Corrigan	Hennessy	Marrin	Schulz, H.	Vehslage
Coughlin	Herrman	McDermott	Seibert	Wells
Cutler	Hobbie	Melody	Sherwood	Whittet
Dean	Hoefer	Messiter	Smith, M.F.	Wieman
Denniston	Horton	Myers	Smith, S.W.	Wyckoff
Dinkelspiel				

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 579) entitled "An act to provide against the offense of hazing in the colleges and other institutions of learning in the State of New York, and for the punishment of crimes resulting therefrom" (Rec. No. 174), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Rider, J.J.	Stewart
Babcock	Dinkelspiel	Houghton	Robbins	Stone
Baker	Douglas	Howe	Robertson	Sulzer
Berry	Dowling	Keenan	Robinson	Taylor
Braun	Eldredge	Keleher	Robson	Terry, C.W.
Brennan	Fairbrother	Kerr	Roche	Terry, J.F.
Brownell	Finnigan	Kerrigan	Scanlon	Thornton
Bush	Friday	Lasch	Schillinger	Tilton
Butts	Fuller	Lawson	Schoepflin	Tobin
Callahan	Gardiner	Lee	Schulz, F.F.	Trainor
Carroll	Gerst	Lounsbury	Seibert	Tuttle
Chambers	Glenn	Loonan	Sheffield	Van Amber
Chapman	Gould	McKeon	Sherwood	Wells
Clark, F.E.	Gray	Melody	Smith, M.F.	Whittet
Clark, J. H.	Hennessy	Messiter	Smith, S.W.	Wieman
Coughlin	Hobbie	Myers	Snyder	Wilcox
Cutler	Hoefer	O'Donnell	Stadtfeld	Wyckoff
Dean	Horton	Prescott	Stevens	

In the negative

Ryder, E.L.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 392) entitled "An act defining the status of certain town cemetery associations" (Rec. No. 75), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	Prescott	Stadtfeld
Babcock	Fairbrother	Hoysradt	Rider, J.J.	Stevens
Baker	Finnigan	Hughes	Robbins	Stewart

Berry	Foley	Keleher	Robertson	Stone
Braun	Friday	Kelsey	Robinson	Sulzer
Brownell	Fuller	Kerr	Roche	Taylor
Burtis	Gardiner	Kern	Scanlon	Thompson
Bush	Gerst	Kerrigan	Schillinger	Thornton
Butts	Glenn	Lasch	Schoepflin	Tilton
Carroll	Gould	Lawson	Schulz, F.F.	Trainor
Chambers	Gray	Lee	Schulz, H	Tuttle
Clark, F.E.	Herrman	Lounsbury	Seibert	Van Amber
Clark, J. H.	Hobbie	Marrin	Sheffield	Wells
Cutler	Hoefler	McKeon	Sherwood	Whittet
Dean	Horton	Messiter	Smith, M.F.	Wieman
Denniston	Hotaling	Myers	Smith, S.W.	Wilcox
Dinkelspiel	Houghton	Nixon	Snyder	Wyckoff
Douglas				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 163) entitled "An act to amend chapter 680 of the Laws of 1892, entitled 'An act in relation to elections,' constituting chapter 6 of the general laws" (Rec. No. 154), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Hotaling	Robbins	Stevens
Babcock	Eldredge	Houghton	Robertson	Stewart
Baker	Fairbrother	Howe	Roche	Stone
Berry	Finnigan	Keenan	Ryder, E.L.	Sulzer
Braun	Friday	Kelsey	Scanlon	Terry, C.W.
Brennan	Fuller	Kerr	Schillinger	Terry, J.F.
Burtis	Gardiner	Kerrigan	Schoepflin	Thornton
Bush	Gerst	Lawson	Schulz, F.F.	Tilton
Butts	Glenn	Lee	Schulz, H	Tobin
Carroll	Gould	Lounsbury	Seibert	Tuttle
Chambers	Gray	Loonan	Sheffield	Van Amber
Clark, F.E.	Harrigan	Marrin	Smith, M.F.	Wells
Clark, J. H.	Herrman	McDermott	Smith, S.W.	Whittet
Cutler	Higbie	Messiter	Snyder	Wieman
Dean	Hobbie	Prescott	Stadtfeld	Wray
Denniston	Hoefler	Reilly	Stein	Wyckoff
Dinkelspiel	Horton	Rider, J.J.		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 582) entitled "An act to amend section 10 of chapter 617 of the Laws of 1868, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy conference,' as amended by chapter 321 of the Laws of 1876" (Rec. No. 192), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 90 {
} NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	Robbins	Stein
Babcock	Dowling	Howe	Robertson	Stevens
Baker	Eldredge	Keenan	Robinson	Stewart
Berry	Fairbrother	Keleher	Robson	Stone
Braun	Fish	Kelsey	Roche	Taylor
Brennan	Friday	Kerr	Ryder, E.L.	Terry, C.W.
Brownell	Fuller	Kerrigan	Scanlon	Terry, J.F.
Burtis	Gardiner	La Fetra	Schillinger	Thompson
Bush	Gerst	Lawson	Schoepflin	Thornton
Butts	Gleason	Lee	Schulz, F.F.	Tilton
Carroll	Glenn	Lounsbury	Schulz, H	Trainor
Chambers	Gould	Loonan	Seibert	Tuttle
Clark, F.E.	Gray	Marrin	Sheffield	Van Amber
Clark, J. H.	Herrman	Messiter	Sherwood	Vehslage
Cutler	Hobbie	O'Donnell	Smith, M.F.	Wells
Dean	Hoefer	Prescott	Smith, S.W.	Whittet
Denniston	Horton	Reilly	Snyder	Wray
Dinkelspiel	Hotaling	Rider, J.J.	Stadtfeld	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 584) entitled "An act to provide for the payment of the expenses of prosecutions of offenses committed in the year 1893 in Kings county against the election laws, and of offenses incidental to or connected with such first mentioned offenses" (Rec. No. 178), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	Rider, J.J.	Stein
Babcock	Dowling	Howe	Robbins	Stevens
Baker	Eldredge	Keleher	Robertson	Stewart
Berry	Fairbrother	Kelsey	Robinson	Stone
Braun	Finnigan	Kerr	Robson	Taylor
Brennan	Friday	Kern	Roche	Terry, C.W.
Bush	Fuller	Kerrigan	Ryder, E.L.	Terry, J.F.
Butts	Gardiner	Lasch	Schillinger	Thompson
Carroll	Gerst	Lawson	Schoepflin	Thornton
Chambers	Gleason	Lee	Schulz, F.F.	Tilton
Chapman	Glenn	Lounsbury	Schulz, H	Trainor
Clark, F.E.	Gould	Marrin	Seibert	Tuttle
Clark, J. H.	Gray	Melody	Sheffield	Van Amber
Corrigan	Herrman	Messiter	Sherwood	Vehslage
Coughlin	Hobbie	Mitnacht	Smith, M.F.	Wells
Dean	Hoefer	Myers	Smith, S.W.	Whittet
Denniston	Horton	Nixon	Snyder	Wieman
Dinkelspiel	Hotaling	Prescott	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same

The Senate bill (No. 666) entitled "An act to amend section 5 of chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association'" (Rec. No. 191), was read the third time.

Mr Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Rider, J.J.	Stevens
Babcock	Dinkelspiel	Houghton	Robbins	Stewart
Baker	Douglas	Howe	Robertson	Stone

Berry	Dowling	Hughes	Robinson	Sulzer
Braun	Eldredge	Keleher	Robson	Taylor
Brennan	Fairbrother	Kelsey	Roche	Terry, C.W.
Brownell	Friday	Kerr	Scanlon	Terry, J.F.
Burtis	Fuller	Kerrigan	Schillinger	Thompson
Bush	Gardiner	Lasch	Schoepflin	Thornton
Butts	Gerst	Lawson	Schulz, F.F.	Tilton
Carroll	Glenn	Lee	Schulz, H	Trainor
Chambers	Gould	Lounsbury	Seibert	Tuttle
Chapman	Gray	Marrin	Sheffield	Van Amber
Clark, F.E.	Harrigan	Matthews	Smith, M.F.	Wells
Clark, J. H.	Hennessy	Melody	Smith, S.W.	Whittet
Coughlin	Hobbie	Mittnacht	Snyder	Wieman
Cutler	Hoefler	Myers	Stadtfeld	Wyckoff
Dean	Horton	Prescott	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 312) entitled "An act to amend chapter 689 of the Laws of 1890, entitled 'An act in relation to banking corporations'" (Rec. No. 51), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keenan	Robertson	Stewart
Babcock	Eldredge	Keleher	Robinson	Stone
Baker	Fairbrother	Kelsey	Robson	Sulzer
Braun	Fish	Kerr	Roche	Taylor
Brennan	Friday	Kern	Ryder, E.L.	Terry, C.W.
Brownell	Fuller	La Fetra	Schillinger	Terry, J.F.
Bush	Gardiner	Lawson	Schoepflin	Thompson
Butts	Gerst	Lee	Schulz, F.F.	Thornton
Carroll	Glenn	Lounsbury	Schulz, H	Tilton
Chambers	Gould	Loonan	Seibert	Tuttle
Clark, F.E.	Gray	Marrin	Sheffield	Van Amber
Clark, J. H.	Hennessy	Matthews	Smith, M.F.	Vehslage
Coughlin	Hobbie	Melody	Smith, S.W.	Wells
Cutler	Hoefler	Messiter	Snyder	Whittet
Dean	Horton	Nixon	Stadtfeld	Wilcox
Denniston	Hotaling	Prescott	Stein	Wray
Dinkelspiel	Howe	Rider, J.J.	Stevens	Wyckoff
Douglas	Keck	Robbins		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 509) entitled "An act to repeal section 186 of article 8 of the game law" (Rec. No. 139), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Rider, J.J.	Stevens
Babcock	Fairbrother	Keleher	Robbins	Stewart
Baker	Fish	Kelsey	Robertson	Stone
Braun	Friday	Kerr	Robson	Terry, C.W.
Brennan	Fuller	Kern	Roche	Terry, J.F.
Brownell	Gardiner	Kerrigan	Ryder, E.L.	Thompson
Bush	Gerst	Lasch	Scanlon	Thornton
Butts	Gleason	Lawson	Schoepflin	Tilton
Carroll	Glenn	Lee	Schulz, F.F.	Tobin
Chambers	Gould	Lounsbury	Schulz, H.	Trainor
Clark, F.E.	Gray	Marrin	Seibert	Tuttle
Clark, J. H.	Herrman	Matthews	Sheffield	Van Amber
Cutler	Hobbie	McKeon	Sherwood	Vehslage
Dean	Hoefler	Melody	Smith, M.F.	Wells
Denniston	Horton	Messiter	Smith, S.W.	Whittet
Dinkelspiel	Hotaling	Myers	Snyder	Wieman
Douglas	Houghton	Porter	Stadtfeld	Wray
Dowling	Howe	Prescott	Stein	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 564) entitled "An act to amend chapter 559 of the Laws of 1893, entitled 'An act in relation to the militia, constituting chapter 17 of the general laws'" (Rec. No. 158), having been announced for a third reading,

On motion of Mr. Bush, said bill was laid aside.

The Senate bill (No. 610) entitled "An act to amend the public health law, relating to local boards of health" (Rec. No. 196), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keenan	Robbins	Stevens
Babcock	Eldredge	Keleher	Robertson	Stewart
Baker	Fairbrother	Kelsey	Robinson	Stone
Berry	Friday	Kerr	Robson	Sulzer
Braun	Fuller	Kern	Roche	Taylor
Brennan	Gardiner	La Fetra	Ryder, E.L.	Terry, C.W.
Brownell	Gerst	Lasch	Scanlon	Terry, J.F.
Burtis	Glenn	Lawson	Schoepflin	Thompson
Bush	Gould	Lee	Schulz, F.F.	Thornton
Butts	Gray	Lounsbury	Schulz, H	Tilton
Carroll	Hobbie	Matthews	Seibert	Trainor
Chambers	Hoefler	McDermott	Sheffield	Tuttle
Clark, F.E.	Horton	McKeon	Sherwood	Van Amber
Clark, J. H.	Hotaling	Melody	Smith, M.F.	Wells
Cutler	Houghton	Messiter	Smith, S.W.	Whittet
Dean	Howe	Myers	Snyder	Wilcox
Denniston	Hughes	Prescott	Stadtfeld	Wray
Dinkelspiel	Keck	Rider, J.J.	Stein	Wyckoff
Douglas				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Ainsworth, the House adjourned.

WEDNESDAY, APRIL 4, 1894.

The House met pursuant to adjournment.

No clergyman present.

On motion of Mr. Thornton, the journal of yesterday was approved without being read.

Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Eldredge	Keleher	Prescott	Stewart
Babcock	Fairbrother	Kelsey	Reilly	Stone
Baker	Fish	Kerr	Rider, J.J.	Sulzer
Braun	Foley	Kern	Robbins	Terry, C.W.
Burtis	Fuller	Kerrigan	Robertson	Terry, J.F.
Bush	Glenn	La Fetra	Robinson	Thompson
Cahill	Gould	Lawson	Robson	Thornton
Cain	Gray	Lee	Ryder, E.L.	Tilton
Callahan	Harrigan	Lounsbury	Schillinger	Tuttle
Carroll	Hobbie	Loonan	Schoepflin	Vacheron
Clark, J. H.	Hoefler	Matthews	Schulz, H	Van Amber
Coughlin	Horton	McNamee	Seibert	Vehslage
Cutler	Hotaling	Messiter	Smith, M.F.	Wells
Davidson	Houghton	Mittnacht	Smith, S.W.	Whittet
Dean	Howe	O'Grady	Snyder	Wilcox
Denniston	Hoyrsadt	Parkhurst	Stadtfeld	Speaker
Dinkelspiel	Keck	Plant		

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Friday, Chambers, Higbie, Wray, Finnigan, Wyckoff, Brownell, Dowling, Trainor, Gleason, F. E. Clark, Wieman, Sheffield, Hughes, Marrin, Melody and Brennan, each of whom, upon giving satisfactory explanation for having been absent, was excused.

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish stated that had he been present last evening when the bill (No. 1349) entitled "An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants" (Int. No. 489), was placed upon its final passage he would have voted in favor of its passage. He was absent as a member of the joint committee relating to the departments.

Mr. Speaker announced the special order, being the majority and minority reports of the committee on privileges and elections, in the matter of the contest for a seat in the Assembly, from the Seventh district of Kings county, between Stillman F. Kneeland, contestant, and William Hughes, contestee, in the words following:

To the Honorable Assembly of the State of New York:

Your committee on privileges and elections present the following report in the matter of the contest for a seat in the Assembly from the

seventh district of Kings county between Stillman F. Kneeland, contestant, and William Hughes, contestee.

Your committee, after organization, appointed Messrs. Phillip Keck, chairman, Wesley Gould and John Harrigan a subcommittee to make the investigation herein. They attended the several hearings in the city of Brooklyn, both parties appearing with counsel, and all evidence received was duly recorded, has been printed and made to form part of this report.

Stillman F. Kneeland, the contestant, appeared in person, with George F. Elliott, Esq., as counsel.

William Hughes, the contestee, appeared in person, with Thomas F. Magner, Esq., as counsel.

The evidence has been printed and is submitted herewith. It appears from the testimony that the seventh Assembly district of Kings county is made up of the entire ninth ward, the thirtieth, thirty-first and thirty-second election districts of the seventh ward and the first fourteen districts of the eleventh ward.

According to the official count, this Assembly district cast for Mr. Hughes; the contestee, 5,591 votes and 5,504 for the contestant, Stillman F. Kneeland, thus electing Mr. Hughes by the apparent majority of eighty-seven. However, it appears, and is not disputed, that by the erroneous omission of the word "twenty" in the clause "two hundred and twenty-six," contained in the returns of the second district of the eleventh ward, the contestant suffered a loss of twenty votes which should be counted for him. And through the omission of five votes that were attached to the return in the seventh district of that ward, but which were improperly omitted from the count, as being defective, the contestant suffered a further loss of five votes in that district, one of which, however, is offset by a like error in the omission of a vote that should be counted for the contestee, making the total omission in this respect four votes to which the contestant is entitled, or the aggregate of twenty-four votes, which reduces the apparent majority in favor of the contestee from eighty-seven to sixty-three.

It further appears from the undisputed testimony that the returns as originally filed in the police precincts in that Assembly district gave a majority to the contestant. In view of the fact of apparent errors on the face of the official returns in that district, much force must be given to this original statement of the canvass, in which no specific inaccuracy has been shown.

It further appears, and we do find and report, that grave frauds and

irregularities dominated and controlled several election districts in the ninth and eleventh wards, to wit, the seventh, thirteenth and fourteenth districts of the eleventh ward, and the third, fourth, fifteenth and sixteenth districts of the ninth ward.

The specific acts of fraud in these districts are in part as follows:

In the seventh district of the eleventh ward eighteen persons took the benefit of the disability clause of the Election Law. These persons nearly all claimed blindness, and took the statutory oath necessary to receive assistance upon that ground. As a matter of fact, they were not blind, to the knowledge of the inspection officers at the time.

In the thirteenth district of the eleventh ward seventeen persons voted as blind men, taking the necessary oath for that purpose, and with the possible exception of one, none of these persons, to the knowledge of the election officers in the seventh district, were blind.

In the thirteenth district of the eleventh ward a large number of persons took the benefit of the act relating to disability, but the total number thereof can not be accurately stated, as with the exception of five voters, the record thereof was omitted from the poll list. From memoranda taken at the time by the Republican inspectors, we have the names of seventeen people who have voted, and the fact also that none of them were blind. In this district the statutory oath was not given to the persons claiming the benefit of the act. On the contrary, the person who acted as chairman of the board of inspectors gave a form of oath that was a mere mockery of the law, the applicant being required to hold up his hand and assent to a mere confusion of unintelligible words. In this, as well as in most of the other districts hereinbefore referred to and hereafter to be referred to, the claim of disability in many instances was made at the suggestion, not of the voter, but of the Democratic workers or election officers. In this fourteenth election district we further find from the testimony that one Justice Haggerty, a police justice, residing in that district, while acting as a Democratic watcher, continuously throughout the day forced his way into the booths while the persons who had not taken the disability oath were preparing their ballots, and openly and in defiance of law thus inspected the votes cast by the voters in that district. This was done against the protest of the Republican inspectors and with the apparent consent and connivance of the Democratic chairman of the board. It further appears that this same police justice in several cases where the voter claimed that he could not read nor write, suggested to him that he could not see, and, after the voter took the form of oath herein-

before specified, went with him into the booth. It also appears that in the canvass of votes in this district seven were thrown out as defective, but the said votes were not attached to the official return from the said district, nor was there any evidence preserved of the facts which constituted the alleged defect, although the pages in which these votes should be placed in the returns were signed by two or more of the inspection officers, the place above the signature being absolutely blank. We find that it would be impossible to state and compute the exact number of votes that were cast in this district in defiance of the provisions of the statute, and that the frauds committed therein are of such a character as, in our opinion, requires that the entire vote of the district should be thrown out.

In the third district of the ninth ward 233 votes were cast, of which twenty-three, or about one-tenth, took the benefit of the disability clause in the election laws. Nearly all of these persons claimed blindness or defective eyesight, and none of them were, in fact, blind.

In the fourth district of the ninth ward the number specified in the poll list as having been assisted on account of defective eyesight or blindness is 13, but it appears from the testimony that not all of those who took the benefit of the act had their names registered in the poll list as having taken the same, and that in fact from fifteen to twenty-five were so assisted. None of these persons were required to state, in the oath, that they were blind. All that the Democratic chairman of the board of inspectors stated in the oath given was that their eyesight was affected; there appears to have been an intentional evasion of the statute in this respect.

In addition thereto a Democratic worker in this district entered the booths without regard to the taking of any oaths of the voters, and entirely disregarding the requirements of secrecy. This was done during the entire day, and it is impossible to state how many votes should be cast out as having been fraudulently inspected by third parties in that district. It appears further that electioneering was carried on within the polling place continuously; that pasters were given inside the polling place by the Democratic captain of the district to voters during the entire day, notwithstanding protest on the part of the Republicans. We find further that in this district persons were registered and voted from houses where they did not reside; that one person voted twice in the same district, on one name, once in the forenoon and once in the afternoon; that two other persons voted in the

name of third parties in the morning and the original parties appeared in the afternoon and voted the same name over again. There seems to have been an utter and entire disregard of the requirements of the statute in this district, and we find and state our opinion to be that the ends of justice can only be met by throwing out the entire vote of the district, it being impossible to state the specific number of fraudulent votes cast therein.

In the fifteenth district of the ninth ward nearly every requirement of the statute relating to the purity and due observance of elections was flagrantly and intentionally disregarded. The Democratic headquarters of the ward was placed next door to the polling place with only a single lot of less than thirty feet in width intervening. Electioneering was carried on during the day, not only in these headquarters, but in the entire space from the gateway through the railing, inside of the polling place to the street, such space being filled at all times with a mass of persons wearing the badge of the Democratic general committee, who were electioneering and giving out pasters. The ballots were not cast in the manner prescribed by law. For a considerable time after the opening of the polls the voters took their ballots and went into the booths without even announcing their names, and without giving any statement of their identity until after they appeared with the folded ballots ready to vote. The ballots were not given in the proper order; instead of being handed out numerically, commencing with the lowest number, they were given in converse order, commencing with the highest number. The watchers of the Republican party were not allowed to pass inside of the rail, and as a consequence they were not guarded from attack by the crowd of Democratic workers. The Republican watcher who first challenged a voter was knocked down and dragged out of the building without any protection from the policeman who stood by his side and who refused to arrest the assailant. Repeated demands were made on behalf of the Republican candidates for the watchers to be permitted to pass inside of the rail, but these demands were persistently refused. A large number of persons took the benefit of the Disability Act, but it is impossible to state how many for the reason that, contrary to law, no mention thereof was made upon the poll list. The testimony shows that at least fifteen so voted, and that none of that number were blind, although they claimed the privilege of so voting on that ground. It further appears that in this district persons voted in the names of absentees. And that, although a large number of people were challenged, the prelimi-

nary oath was not given to any of them, the only oath administered being the final or general oath. It also appears that after the close of the polls a large number of people were inside the railing who had not voted but were then permitted to cast their ballots under protest. And that at the close of the polls all persons excepting election officers and watchers were turned out of the building and the canvass was thereafter made behind locked doors, with the watchers outside of the rail; this was also done under protest. We are of opinion and do respectfully find and report that it is impossible to state the total number of votes fraudulently cast in this district; that the entire machinery of the district and the conduct of the election was corrupt and illegal; and that the vote of the district should be thrown out for actual fraud.

In the fifteenth district of the ninth ward the Republican watchers were continuously threatened and assaulted, and one of them was driven from the building for the alleged reason that the Republicans were entitled by right to but one watcher. That during the entire day the police officer charged with the suppression of crime and the enforced observance of the due administration of affairs, himself openly violated the law by passing from one booth to another, holding a lighted candle within the booths under the alleged pretense of furnishing the voters with light in the preparation of their ballots. It further appears that a large number of persons took the benefit of the Disability Act under the false claim of blindness; that such persons did not take the disability oath, but simply the general oath specified in section 111 of the Election Law. That in this and another district a gang of Italian voters registered and voted who did not reside in either of the districts, and who had previously registered and voted in the Twenty-second ward. We are of opinion and do find that every vote cast, which is not a secret ballot, unless the voter was either absolutely disabled or totally blind, is a fraudulent vote and should not be counted for either party; that the extent to which such votes were cast in this district cannot be computed, and that the entire vote of the district should be thrown out.

We do further, on due consideration, find and state that the voters who fraudulently cast their votes as blind persons as hereinbefore specified in the seven districts named were assisted, aided and abetted by the officers and workers of the Democratic party, and that all such votes are fraudulent and should be deducted from the votes cast for that party, including the contestee herein.

Your committee further find and state that in their opinion a con-

spiracy was entered into before the election by the Democratic leaders in the ninth and eleventh wards, included in the seventh Assembly district. That a part of this conspiracy consisted in false registration; in the procuring of assistance in the preparation of ballots for the voters for the purpose of ascertaining that the vote was cast for the Democratic ticket; in the repeating of vote by the same voter, and in securing persons to vote in the name of absentees. As proof of this general scheme we submit the following facts:

In the ninth ward, under the directions of the ward leader, nearly all of the colored voters, some eighty in number, were banded together under an arrangement that they should vote for the Democratic ticket and be paid for their votes. That under this arrangement several of the persons voted in the names of third parties; several of them repeated their own votes, and all of them who so voted received for each vote cast a ticket or check with instructions to appear at the Democratic headquarters after the polls had closed and receive their compensation; that they did so appear and receive from one of the Democratic leaders in the private room of such headquarters, in return for each check so presented, an envelope containing three dollars in currency, which was the sum agreed upon to be paid for their vote.

Again we find and state that the registration in the strongest Democratic districts of the ninth ward was increased largely over the vote for the presidential year of 1892. Specific instances of this increase we find to have been the result of colonization from other districts, and we believe and find that this increase was, to a large extent, fraudulent.

We further find and state that the contestant, Stillman F. Kneeland, received the largest number of votes legally cast, and is entitled to his seat; that the contestee, William Hughes, is not entitled thereto.

And that the official count of the said Assembly district should be changed and stated as follows, to wit:

The official count gives Hughes	5,591
There should be added for a vote in his favor counted as defective	1

There should be deducted his entire vote in the fourteenth district, eleventh ward.....	207
Also, in fourth district, ninth ward	208
Also, in fifteenth district, ninth ward.....	316
Also, in sixteenth district, ninth ward	202

Also, at least 12 votes each in the seventh and thirteenth districts, eleventh ward, and the third district, ninth ward.....	36	
		969
		4,623
Kneeland's official vote was.....		5,504
To this should be added twenty votes omitted by mistake in second district of eleventh ward, and five voted erroneously counted as defective.....		25
		5,529
And there should be deducted the vote cast for him in the following districts :		
Fourteenth district, eleventh ward.....	72	
Fourth district, ninth ward.....	62	
Fifteenth district, ninth ward.....	124	
Sixteenth district, ninth ward.....	39	
		297
		5,232
Deduct Hughes' vote.....		4,623
Leaving as Kneeland's majority.....		609

We do hereby recommend the adoption of the following resolution :

Resolved, That Stillman F. Kneeland was at the last general election elected to the office of Member of Assembly for the seventh Assembly district of the county of Kings, which seat is now held by William Hughes, and that the said Stillman F. Kneeland be and he is hereby awarded the same.

All of which is respectfully submitted.

GEO. S. HORTON.
EUGENE F. VACHERON.
PHILIP KECK.
WESLEY GOULD.
J. F. TERRY.
JAMES R. SHEFFIELD.

Dated, March 26, 1894.

MINORITY REPORT.

To the Honorable the Assembly of the State of New York :

The undersigned members of the committee on privileges and elections, after having heard the counsel for the respective parties in the above entitled matter, and upon examination of the proofs offered in

behalf of each party and of the law applicable thereto, respectfully find and report as follows:

That according to the official count, Mr. Hughes, the sitting member, received 5,591 votes, and Mr. Kneeland, the contestant, 5,504 votes, which gives Mr. Hughes a majority of 87 votes. That each of the official returns was signed by two members of the Republican party and two members of the Democratic party, who acted as canvassers, and canvassed the total vote. That the canvass was made in the presence of one Republican watcher and one Democratic watcher in each election district, and the canvassers were assisted by an equal number of Republican poll clerks and Democratic poll clerks. That the polling places were selected, one-half by representatives of the Republican party in the city of Brooklyn and one-half by representatives of the Democratic party, and all the election officials were equally divided between both parties. That there were three sets of returns made, signed by all the canvassers, one of which reports was filed in the police department, one in the board of elections and the other with the county clerk of the county. That on the face of all the returns a clear majority was given for Mr. Hughes of sixty-seven votes. That according to the return filed with the county clerk, Mr. Hughes received twenty votes more than appeared on the face of either of the other two returns. That afterwards it was discovered that according to this report Mr. Hughes was credited with having received twenty votes more than he actually did receive, and a statement to such effect was made by Mr. Hughes' counsel before the committee, and said report was corrected accordingly. That this allowance in favor of the contestant, together with four additional ballots returned as defective, gives Mr. Hughes a clear majority of legal votes cast to the number of sixty-three, by which majority Mr. Hughes legally claims to have been elected, and by reason of such entitled to hold his seat in this body.

Your committee further reports that there is no proof whatsoever, nor was any testimony offered, that the official return of the police department ever showed that the petitioner received 5,410 votes, and the contestee 5,342 votes, as alleged in the fourth allegation of said petition.

Your committee further reports that some testimony was offered by the contestant as to what he had read in the public press of the cities of Brooklyn and New York, as to his being elected to the seat now held by the contestee, by sixty-seven votes, but your committee, with all due regard to the impression which such reading made upon the mind of the contestant, and the feeling created thereby, and also having

due regard to the disappointment which such erroneous notices must have caused the contestant, can not see their way clear to report to this body that by reason of such notices, the contestant has been elected a member of this house, in view of the fact that the official returns heretofore mentioned show the contestee a majority of sixty-seven votes over the contestant; and on the further ground that the election law of the State of New York makes no provision for the election of a man who did not receive the greatest number of votes, even though the public press should publish a statement to the contrary. And your committee will further report in this connection, that it is within the memory of one of its members that similar notices appeared in certain New York newspapers in reference to his election and when the count was completed and made official thereafter, the said newspapers not only corrected their statement in that regard, but also the opponent of the member in question conceded his defeat and made no attempt to obtain a seat to which he was not entitled even though his political party were in power, and thus demonstrated the fact that although newspapers should at times inadvertently make a statement which they afterwards corrected as in this case, that he unlike this contestant would uphold the legal and equitable principle applicable to all elections in this great commonwealth "that the man receiving the greatest number of legal votes shall be regarded as the legal representative of the people."

Your committee further finds that the county board of canvassers of Kings county did make corrections in the returns made by the election district canvassers but that such corrections so made by said county board of canvassers were made according to law and justice, and when so made the returns represented and showed the exact number of legal votes cast for the respective candidates including the contestant and contestee for the office of Member of Assembly, in the seventh district of Kings county, no change having been made in the number of votes cast but simply certain inaccuracies corrected in the manner in which said votes, and the count thereof, were set forth in said returns.

Your committee further reports that so far as the testimony and proof offered in respect to the facts set forth in the seventh allegation of contestant's petition, the same is absolutely untrue, for the reason that such testimony and proof show that the workers, inspectors, poll clerks, ballot clerks, watchers and challengers of both parties were alike treated with all due consideration, and were not threatened or assaulted or in any manner prevented from performing their respective duties, and protecting the rights and interests of their respective parties and

candidates, and in proof of such facts refer to the testimony of the various officials sworn on the investigation.

Your committee further reports that the facts set forth in the eighth allegation of contestant's petition are likewise unsupported by any evidence or proof, and are entirely unworthy of belief, and in support of this assertion not only refer to the testimony generally, but also would call the attention of this body specifically to the fact that in the districts in which it was sought to prove such facts the official count shows on its face that the contestant ran ahead of the rest of his ticket in the number of votes received, while on the other hand, in the other districts in which no claim of fraud or intimidation was made, the said contestant ran behind and received a less number of votes than other members of his party who were candidates for office on the same political ticket.

Your committee further reports that no testimony or proof was offered in support of the facts set forth in the ninth allegation of the petition which could, by any possibility of construction, lead any fair-minded man to believe that the facts stated therein were true, but on the contrary, it appears that while some testimony was offered by persons, whose testimony, to say the least, should be viewed with suspicion and be entitled to little if any credence, show slight irregularities in the method of procedure, and the administration of the various oaths; still, if true, it conclusively appears that such irregularities were participated in by the representatives of both political parties, namely, the Republican and Democratic parties, and that the same were committed, if committed at all, not with any design or intent to deprive the contestant of any of his legal rights or to violate the election law in any particular, but were, as the testimony showed, committed in ignorance of law and did not in any manner effect the result.

That in respect to the tenth allegation of the petition, the same is absolutely devoid of all evidence or proof tending to support the same, and for that reason your committee finds against the contestant; and for the same reasons which clearly appear from the testimony, your committee finds the facts stated in the eleventh and twelfth allegations of said petition to be utterly unfounded, and made, in most instances, without as much as a scintilla of evidence, legal or otherwise, to support them.

Wherefore, we respectfully report for adopting the following resolution instead of that reported by the majority of this committee :

1. Resolved, That William Hughes was, on the seventh day of November, 1893, duly elected Member of Assembly for the Seventh Assembly district of Kings county, New York, having received a clear majority of sixty-three of all the votes cast for the various candidates

for such office, and by reason of such election that he has held and is legally and equitably entitled to hold his seat in this House.

2. That the petition of Stillman F. Kneeland, praying that he be declared entitled to the seat in this House now held by the said William Hughes, be denied.

JNO. C. HARRIGAN.

VICTOR J. DOWLING.

Dated ALBANY, N. Y., *April 2*, 1894.

Mr. Sulzer moved that the minority report be substituted for the majority report.

Mr. Howe in the chair.

Debate being had,

Mr. Ainsworth moved that the debates on the question of the contested seats be limited to one speech of fifteen minutes' duration on each side.

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 62 }
{ NOES 50 }

Those who voted in the affirmative, were

Ainsworth	Gardiner	Lawson	Schoepflin	Terry, J.F.
Babcock	Glenn	Lee	Schulz, F.F.	Thompson
Baker	Gould	Lounsbury	Seibert	Thornton
Braun	Gray	Messiter	Sheffield	Tilton
Brownell	Hobbie	O'Grady	Smith, M. F.	Tuttle
Chambers	Hoefler	Parkhurst	Smith, S.W.	Vacheron
Clark, F.E.	Horton	Prescott	Snyder	Van Amber
Dean	Hotaling	Rider, J.J.	Stevens	Wells
Denniston	Houghton	Robbins	Stewart	Whittet
Eldredge	Howe	Robertson	Stone	Wilcox
Fairbrother	Keck	Robson	Taylor	Wyckoff
Fish	Kelsey	Scanlon	Terry, C W.	Speaker
Friday	Kern			

Those who voted in the negative, were

Berry	Corrigan	Hoysradt	McDermott	Roche
Brennan	Coughlin	Hughes	McKeon	Ryder, E.L.
Burtis	Davidson	Keenan	McNamee	Schillinger
Brush	Dinkelspiel	Keleher	Melody	Southworth
Butts	Dowling	Kerr	Mittnacht	Stadtfield
Cahill	Finnigan	Kerrigan	Myers	Stein
Callahan	Foley	La Fetra	O'Donnell	Sulzer

Carroll	Gleason	Lasch	Plant	Tobin
Cassin	Harrigan	Loonan	Reilly	Trainor
Chapman	Hennessy	Marrin	Robinson	Vehslage

Mr. Sulzer announced the pair of Mr. Fuller with Mr. Herrman.

Mr. Speaker resumed the chair.

Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Dinkelspiel	Hoysradt	O'Donnell	Stadtfeld
Babcock	Douglas	Hughes	O'Grady	Stein
Baker	Dowling	Keck	Parkhurst	Stevens
Berry	Eldredge	Keenan	Prescott	Stewart
Braun	Fairbrother	Keleher	Reilly	Stone
Brennan	Finnegan	Kelsey	Rider, J. J.	Sulzer
Brownell	Fish	Kerr	Robbins	Taylor
Burtis	Foley	Kern	Robertson	Terry, C. W.
Bush	Friday	Kerrigan	Robinson	Terry, J. F.
Butts	Fuller	La Fetra	Robson	Thornton
Cahill	Gardiner	Lasch	Roche	Tilton
Cain	Gerst	Lawson	Ryder, E. L.	Tobin
Callahan	Gleason	Lee	Scanlon	Trainor
Carroll	Glenn	Loonan	Schillinger	Tuttle
Cassin	Gould	Marrin	Schoepflin	Vacheron
Chambers	Gray	Matthews	Schulz, F. F.	Van Amber
Chapman	Harrigan	McDermott	Schulz, H.	Vehslage
Clark, F. E.	Hennessy	McGuire	Seibert	Wells
Clark, J. H.	Higbie	McKeon	Sheffield	Whittet
Corrigan	Hobbie	McNamee	Sherwood	Wieman
Coughlin	Hoefer	Melody	Smith, M. F.	Wilcox
Cutler	Horton	Messiter	Smith, S. W.	Wray
Davidson	Hotaling	Mittnacht	Snyder	Wyckoff
Dean	Houghton	Myers	Southworth	Speaker
Denniston	Howe			

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Nixon, Thompson and Lounsbury, each of whom, upon giving satisfactory explanation for having been absent, was excused.

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer offered the following substitute for the recommendation of the majority of the committee on privileges and elections :

1. Resolved, That William Hughes was, on the seventh day of November, 1893, duly elected Member of Assembly for the Seventh Assembly district of Kings county, New York, having received a clear majority of sixty-three of all the votes cast for the various candidates for such office, and by reason of such election that he has held and is legally and equitably entitled to hold his seat in this House.

2. That the petition of Stillman F. Kneeland, praying that he be declared entitled to the seat in this House now held by the said William Hughes, be denied.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the negative.

{ AYES 51 }
{ NOES 73 }

Those who voted in the affirmative, were

Berry	Coughlin	Hoysradt	McDermott	Roche
Brennan	Davidson	Hughes	McGuire	Ryder, E.L.
Bush	Dinkelspiel	Keenan	McKeon	Schillinger
Butts	Douglas	Keleher	McNamee	Southworth
Cahill	Dowling	Kerr	Melody	Stadtfeld
Cain	Finnigan	Kerrigan	Mitnacht	Stein
Callahan	Foley	La Petra	Myers	Sulzer
Carroll	Gleason	Lasch	O'Donnell	Tobin
Cassin	Harrigan	Loonan	Plant	Trainor
Chapman	Hennessy	Marrin	Robinson	Vehslage
Corrigan				

Those who voted in the negative, were

Ainsworth	Friday	Kern	Schoepflin	Terry, J.F.
Babcock	Gardiner	Lawson	Schulz, F.F.	Thompson
Baker	Gerst	Lee	Schulz, H	Thornton
Braun	Glenn	Lounsbury	Seibert	Tilton
Brownell	Gould	Matthews	Sheffield	Tuttle
Burtis	Gray	Messiter	Sherwood	Vacheron
Chambers	Higbie	Nixon	Smith, M. F.	Van Amber
Clark, F.E.	Hobbie	O'Grady	Smith, S.W.	Wells
Clark, J. H.	Hoefer	Parkhurst	Snyder	Whittet
Cutler	Horton	Prescott	Stevens	Wieman
Dean	Hotaling	Rider, J.J.	Stewart	Wilcox
Denniston	Houghton	Robbins	Stone	Wray
Eldredge	Howe	Robertson	Taylor	Wyckoff
Fairbrother	Keck	Robson	Terry, C.W.	Speaker
Fish	Kelsey	Scanlon		

Mr. Speaker put the question whether the House would agree to the resolution reported by the majority, and it was determined in the affirmative.

{ AYES 73 }
{ NOES 52 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Schoepflin	Terry, J.F.
Babcock	Gardiner	Lawson	Schulz, F.F.	Thompson
Baker	Gerst	Lee	Schulz, H	Thornton
Braun	Glenn	Lounsbury	Seibert	Tilton
Brownell	Gould	Matthews	Sheffield	Tuttle
Burtis	Gray	Messiter	Sherwood	Vacheron
Chambers	Higbie	Nixon	Smith, M. F.	Van Amber
Clark, F.E.	Hobbie	O'Grady	Smith, S.W.	Wells
Clark, J. H.	Hoeffer	Parkhurst	Snyder	Whittet
Cutler	Horton	Prescott	Stevens	Wieman
Dean	Hotaling	Rider, J.J.	Stewart	Wilcox
Denniston	Houghton	Robbins	Stone	Wray
Eldredge	Howe	Robertson	Taylor	Wyckoff
Fairbrother	Keck	Robson	Terry, C.W	Speaker
Fish	Kelsey	Scanlon		

Those who voted in the negative, were

Berry	Coughlin	Hughes	McGuire	Roche
Brennan	Davidson	Keenan	McKeon	Ryder, E.L.
Bush	Dinkelspiel	Kelcher	McNamee	Schillinger
Butts	Douglas	Kerr	Melody	Southworth
Cahill	Dowling	Kerrigan	Mittnacht	Stadtfeld
Cain	Finnigan	La Fetra	Myers	Stein
Callahan	Foley	Lasch	O'Donnell	Sulzer
Carroll	Gleason	Loonan	Plant	Tobin
Cassin	Harrigan	Marrin	Reilly	Trainor
Chapman	Hennessy	McDermott	Robinson	Vehslage
Corrigan	Hoysradt			

Mr. Speaker declared Stillman F. Kneeland entitled to the seat formerly occupied by William Hughes.

The oath of office was administered by the Speaker to Stillman F. Kneeland as Member of Assembly from the Seventh district of Kings county.

Mr. Sulzer moved that the report of the committee on privileges and elections on the case of Michael Conklin v. Michael McGuire be postponed until to-morrow morning at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 46 }
 { NOES 68 }

Those who voted in the affirmative, were

Berry	Coughlin	Keenan	McKeon	Robinson
Brennan	Davidson	Keleher	McNamee	Schillinger
Bush	Dinkelspiel	Kerr	Melody	Southworth
Cahill	Douglas	Kerrigan	Mittnacht	Stadtfeld
Cain	Dowling	La Petra	Myers	Stein
Callahan	Foley	Lasch	O'Donnell	Sulzer
Carroll	Gleason	Marrin	Plant	Tobin
Cassin	Hennessy	McDermott	Reilly	Trainor
Chapman	Hoysradt	McGuire	Ryder, E.L.	Vehslage
Corrigan				

Those who voted in the negative, were

Ainsworth	Friday	Kelsey	Scanlon	Terry, J.F.
Babcock	Gardiner	Kern	Schoepflin	Thompson
Baker	Gerst	Kneeland	Schulz, F.F.	Thornton
Braun	Glenn	Lawson	Seibert	Tilton
Brownell	Gould	Lee	Sheffield	Tuttle
Burtis	Gray	Lounsbury	Sherwood	Vacheron
Chambers	Higbie	Matthews	Smith, M.F.	Van Amber
Clark, F.E.	Hobbie	Messiter	Smith, S.W.	Wells
Clark, J. H.	Hoefer	Nixon	Snyder	Whittet
Dean	Horton	O'Grady	Stevens	Wieman
Denniston	Hotaling	Prescott	Stone	Wilcox
Eldredge	Houghton	Rider, J.J.	Taylor	Wray
Fairbrother	Howe	Robbins	Terry, C.W.	Wyckoff
Fish	Keck	Robertson		

Mr. Speaker announced the further special order, being the majority and minority reports of the committee on privileges and elections relative to the petition of Michael Conklin, claiming the seat in the Assembly, from Richmond county, now occupied by Michael McGuire, in the words following:

MAJORITY REPORT.

To the Assembly of the State of New York:

Your committee on privileges and elections, to which was referred the petition of Michael Conklin, of the county of Richmond, claiming that he was duly elected to the office of Assemblyman from that county at the last general election held on the 7th day of November, 1893, and that he is entitled to the seat in this body now held by Michael McGuire, respectfully report as follows:

That the testimony was taken in this proceeding under section 64 of

the Election Law, before the Hon. Edgar M. Cullen, justice of the Supreme Court for the second judicial district, on notice served by the contestant upon the contestee; that both of the parties were present before the said justice, and were represented by counsel; that fifty-seven witnesses were examined on the part of the contestant and cross-examined by counsel for the contestee before said justice, and that the testimony so taken was remitted to the Assembly, and by order was printed and referred to the committee. Such testimony constitutes Assembly Document No. 15 of this session.

In addition to the testimony so taken before Mr. Justice Cullen, a subcommittee of the Committee on Privileges and Elections, composed of Mr. J. F. Terry, chairman, and Messrs. Eugene F. Vacheron and Henry McNamee, sitting at the village hall in the village of New Brighton, in the county of Richmond, took further testimony and heard arguments in the proceeding; that the sessions of said subcommittee for that purpose began on the eighteenth day of January, and were continued from week to week until the 8th day of February, 1894. That upwards of 100 witnesses were examined on the part of the contestant and contestee, and the testimony has been duly presented to this honorable body, and has, by order, been printed and is known as Assembly Document No. 37 of this session.

The testimony in these proceedings related to four election districts only, of the county of Richmond, being the fifth, eighth and ninth election districts of the town of Castleton, and the fourth election district of the town of Southfield in said county. The record so presented furnishes a history of the most shameless, reckless and audacious fraud and violation of the election and penal laws and of the electoral franchise, rarely, if ever, equaled in the annals of election cases in this State. Indeed, the utter disregard of law, the flagrant and deliberate violations of the elective franchise and the contemptuous indifference to public opinion may well startle the people of this State and rouse them to the dangers which threaten their most sacred rights and privileges, and to take heed lest these be wholly lost and destroyed. These election frauds were directly participated in by high officials of the county of Richmond, notably by the county treasurer and by the sheriff of the county.

The county of Richmond is composed of five towns, and at the recent election was divided into forty-two election districts. The total vote for the office of Member of Assembly, as canvassed by the county board of canvassers, was as follows :

Michael McGuire.....	4,706
Michael Conklin	4,422
For other candidates..	403
Total	<u>9,531</u>

McGuire's plurality, on the face of the returns, over Conklin, was 284.

In the fifth, eighth and ninth election districts of Castleton, and in the fourth election district of Southfield, the vote was returned as follows:

Election district.	McGuire.	Conklin.
Fifth Castleton	182	72
Eighth Castleton.....	155	31
Ninth Castleton.....	252	20
Fourth Southfield	153	46
Totals	<u>742</u>	<u>174</u>

It thus appears that in the four election districts in question McGuire received 742 votes and Conklin 174.

In the thirty-eight remaining districts of the county the vote was as follows:

For McGuire	3,964
For Conklin	<u>4,248</u>

Conklin's majority over McGuire in thirty-eight districts being 284.

McGuire was the candidate of the so-called Democracy of Richmond county; Conklin was the candidate of the regular Republican organization and of the independent organization of Richmond county Democrats. It is a matter of history that at the recent election there was a general uprising of the people and disregard for party lines on the part of the Democratic voters of the State, resulting in an enormous vote for the Republican candidates. This upheaval was not limited to any county of the State, and Richmond county was equally affected. The normal Democratic majority in this county has been from 1,500 to 2,000; the figures which we have given in relation to the vote for Member of Assembly show the tremendous change; but the four election districts in question were not apparently affected, according to the returns, by this general revolution. They were unique not only in this respect, but they did not even return the normal Republican vote.

The testimony taken in this investigation discloses the causes of this most astounding result, and presents a story of venality and corruption almost impossible of belief, and yet the contestee and his learned

counsel in at least two of the election districts, namely, the eighth and ninth of Castleton, have not produced a single word of testimony in contradiction of the testimony in these respects presented by the contestant.

We will now proceed to present the facts found by us; and as, in our opinion, the fraud and corruption disclosed by the evidence relating to the fifth, eighth and ninth election districts of the town of Castleton, are in themselves a sufficient justification for the result which we have reached, we shall mainly in this report confine ourselves to a presentment of the facts relating to those districts, touching, however, in a general way upon the testimony in the fourth election district of Southfield.

The Eighth and Ninth Election Districts of the Town of Castleton.

In these two election districts is located the well-known charitable institution called "Sailors' Snug Harbor," a home for aged, decrepit and worn-out seamen. This institution is a private, charitable corporation, not receiving governmental aid, and not exempted from taxation.

(Testimony of the governor of the institution,
Gustavus D. S. Trask, Assembly Document
No. 15, pp. 42, etc.)

Most of the voters in these two election districts are inmates of this institution; all of the election officers, including the inspectors, poll clerks and ballot clerks were also inmates.

(Testimony of Trask.)

It appears by the testimony that the inmates come from all parts of the United States to the institution, and that they pay nothing for their support and maintenance; even their clothing being supplied to them. They have absolutely no interest as taxpayers or otherwise in the local government or affairs of the community, and the great majority of them are utterly indifferent to local and even State interests, and yet in a close election their vote may turn the balance in favor of one party or the other, and thereby change the government of the village, town and county, and even of the State and nation.

In 1891, in the eighth election district, the majority for the Democratic candidate for Governor was 13; in 1892, the majority for the Democratic electors was 45, and yet, in 1893, the majority returned for the Democratic candidate for Assembly was 124.

In the ninth election district, in 1891, the majority for the Democratic candidate for Governor was 51; in 1892 the majority for the

Democratic electors was 47, and yet, in 1893, according to the returns, the majority for the Democratic candidate for Assembly was 232.

We now present the uncontradicted facts in relation to the

Ninth Election District of the Town of Castleton.

At the close of the second day of registry, namely, October 28, 1893, the inspectors of election for this district certified that they had registered 285 names of electors. The testimony shows that at least one, and probably two names were added on election day, and the persons allowed to vote. The inspectors of this district certified, in their statement of the result of the canvass, that (273) two hundred and seventy-three votes had been cast for all the candidates for each office to be voted for at the election, of which two hundred and fifty-two were credited to each Democratic candidate for each office, twenty to each Republican candidate for each office, and one to each Prohibition candidate for each office. They did not return a single scratched ballot, although the testimony discloses that such ballots were cast.

The poll-lists kept by the poll-clerks of this election district disclose the names of only (247) two hundred and forty-seven persons, of whom one is recorded as not voting, "ballot spoiled;" at least eight of the names on these lists are duplicated; that is, the persons bearing those names are recorded as voting twice, different ballot numbers, although their names are only registered once; at least five of the names appearing upon these poll-lists are not registered at all.

Twenty names appearing at the tops of different pages in each poll-list are in a different handwriting from that of the two poll-clerks. Both of these poll-clerks have testified that these names were on the poll-lists when they received them at the opening of the polls on election day; that they did not see the persons giving those names vote, and that they did not know in whose handwriting they were written. Investigation shows that these names included the names of persons who are unknown and of persons who have testified that they did not vote on that day. It includes the name of Alexander Freeman, a colored man, 105 years old, who has been an inmate of the hospital at Sailors' Snug Harbor for eleven years.

The highest ballot number on the poll-lists is No. 258; ten ballot numbers are not accounted for; two ballot numbers are duplicated. Numbers much higher numerically precede lower numbers. For instance, No. 37 precedes No. 31; No. 48 precedes No. 41; No. 29 precedes No. 3; Nos. 24 and 25 precede Nos. 6 and 7, etc.

Surnames having the same initial appear together with successive numerals. For instance, the names of Hazard, Houtman and Howard succeed each other, with the ballot numbers 147, 148 and 149 in succession opposite them. The names Hogarth and Healey succeed each other, with the ballot numbers 249 and 250 in succession opposite to them. The same peculiarity appears on the other pages of the poll-lists, notably the names beginning with R, S, T, V and W. For instance, on the pages containing names in S appear in succession opposite such names Nos. 212, 213, 214, 215. The testimony shows that the names appearing opposite these numbers were the names of persons who were either unknown, or dead, or insane, or absent, or who did not vote on election day. Mr. A. B. Hodges, the secretary of the Sailor's Snug Harbor, testified that fourteen of the names appearing on these poll lists were the names of men who had been inmates of the institution, but who were, at the time of the election, either dead, in the insane asylum or absent, seven being dead, one in the insane asylum and six absent (testimony of Hodges, Assembly Document, No. 15, p. 77, etc.); that the names of twenty-one others on these two poll lists, appearing as resident in Sailor's Snug Harbor, were absolutely unknown in that institution. Twenty inmates whose names appear on the poll lists testified that they did not vote on election day. While the highest number on the poll lists was No. 258, the two poll clerks certified in the certificate required to be made by them at the close of the canvass, that they had distributed 278 sets of ballots, of which five sets had been returned to them spoiled, leaving 273 sets outstanding, which would correspond with the return of 273 votes cast, made by the inspectors. Five different kinds of official ballots were used in the election districts of Richmond county at this election. The ballot clerks returned to the office of the county clerk, as required by law, a sealed package containing the ballots not delivered by them to the voters. An examination of this sealed package, pursuant to an order of a justice of the Supreme Court, disclosed the fact that there were five sets of such returned ballots, and that each set was numbered from 258 to 800. (See testimony of Gailard, Assembly Document No. 15, p. 163, etc.) This testimony showed that the ballot clerks' certificate was also false.

The two poll clerks testified that the ballots were counted without comparing their number with the number of votes shown by the poll lists, and that no one person counted all of the votes cast; that no tally sheet was kept; that the inspector, poll clerks and the Democratic county treasurer, Matthew S. Tully, who was not an election official, participated in counting the ballots.

It thus appears that every election officer in this election district deliberately took part in and aided and abetted the making of a false and fraudulent statement of the result of the canvass of the votes.

The testimony further discloses that the Democratic county treasurer, Matthew S. Tully, with two or three young men as his aids, and with the connivance, aid and assistance of the inspectors of election and of the other election officials, and of the police officer at the polling place, actually took possession of the polling place and "ran" the election. While the poll lists disclose only the name of one person who was assisted, yet nearly two-thirds of the persons who have testified that they voted in this polling place on election day, about one hundred in number, have testified that they were assisted without any oath being taken by them in a single instance. Not more than five of them were entitled to assistance, in any event, under the law. Most of them have testified that they did not ask for assistance; that Tully or one of his aids suggested such assistance to them; that these men, unbidden and unasked, forced their way into the voting booths with them, and in some cases actually persisted in assisting them when their assistance was declined; in other cases the Democratic ballot was thrust into the hands of the voter, and he voted the ticket without knowing its contents. In many cases it appeared clearly that the voters did not know what ballots they were voting; in other instances, if the voter desired to vote the Republican ticket he was hampered, annoyed and interfered with by these volunteers and hurried from the voting booth. In several cases the voters had to force these men from the voting booths; and other voters who received assistance in the folding of their ballots were actually deceived by the person folding them as to the ballot to be voted, the assistant endeavoring to substitute a Democratic ballot for the Republican. There is not time for the narration of all the tricks, deceptions and frauds perpetrated on the voters at this polling place, not to say intimidation and undue influence, that were practiced. Many of the voters, while not being disabled so as to entitle them to assistance, were men of advanced age, credulous and easily deceived; others cared little what they voted, and were ignorant of the candidates or of the issues involved in the election; still others were open to pecuniary influences. The taking possession of the polling place by Tully and his confederates enabled them to ascertain who were Republican voters, and exposed the voters not only to their animosity and revenge, but to intimidation and undue influence.

Mr. Tully, not content with his work during the polling hours, at the close of the polls ordered the inspectors to eject Mr. John De Morgan,

a well-known resident of the neighborhood, who was duly appointed by the Republican county committee as a watcher for the Republican party at this polling place, and who bore a regular certificate of appointment and exhibited the same to the inspectors. The sole ground of Mr. Tully's objection was that Mr. De Morgan was not a Republican but a Democrat. The inspectors obeyed his command, and had a police officer eject Mr. De Morgan from the polling place, and then had the door of the polling place closed and fastened, and a policeman stationed at the door during the canvass of votes, although the canvass was required by law to be public. When Mr. De Morgan sought to return with his counsel the door of the polling place was opened by the police officer and then shut in his face, and he was unable to obtain entrance. The only other watcher for the Republican party in this district was an inmate of the Harbor, and the testimony discloses the fact that he was intoxicated during the election.

The Facts as to the Eighth Election District of the Town of Castleton.

The testimony shows that seven persons whose names appeared upon the poll-lists were not registered; one name appears as voting twice, separate ballot numbers; one other person was transferred to the insane asylum in February, 1893; three others, resident in the institution, were absent on election day, and two others credited to the institution, were unknown there. Eight inmates of the Harbor, whose names appear on the poll-lists, testified that they did not vote at the election. Besides these, some nineteen other persons appearing upon the poll-lists as resident outside of Sailors' Snug Harbor, and in the eighth election district, are unknown in that district.

The poll-lists and registers of electors of this district disclose the remarkable fact that seventy-six of the persons appearing upon the poll-lists as having voted, were assisted to vote; not one of these persons took the oath prescribed by law; seventy of them were inmates of Sailors' Snug Harbor, and the physician of that institution, Dr. Joy, testified that he knew them all, and of the seventy only three were disabled so as to require assistance in folding their ballots. (See testimony of Joy, Assembly Document No. 15, p. 90.) Thirty-nine of the persons assisted appear on the record to have been assisted by Edward Muller, a Democrat, and the sheriff of the county of Richmond; a large number of others were assisted by one Henry Eichenberger, an official of the village of New Brighton; still others were assisted by Augustus A. Acker, the Democratic candidate for justice of the sessions at this election, and others by one Edwin Twyford, who appears to have been

an assistant of the district attorney of the county. Mr. Muller seems to have played the same part in the eighth election district as Mr. Tully in the ninth and, with the active aid and connivance of the election officials, "ran" the election at this polling place.

The Facts as to the Fifth Election District in the Town of Castleton.

Prior to the election, and on the last day of registration, a demand was made upon the several inspectors of election of this district, at the place of registry, to permit an inspection of the register and of the certified copies thereof, which demand the inspectors refused. They failed to post a copy of the registry list in the polling place, as required by law; they also refused to strike from the registry list the names of some forty persons not entitled to be registered. An application was made to Justice Cullen, one of the Justices of the Supreme Court for the second judicial district, to strike these names from the registry. On the return of the order the inspectors appeared and by their affidavits, admitted that some of the names appearing upon the registry list had wrong addresses; that they were satisfied since the demand had been made upon them that nineteen others were not entitled to register, and they had stricken those names from the register. The justice, after directing that notice be given by mailing to all alleged persons whose names were upon the registry, and whom it was sought to strike from the register, and after adjourning the proceeding so that such notice could be given, and being satisfied that there were no such persons resident within said election district, ordered that nineteen other names, besides those already stricken from the register by the inspectors as aforesaid, should be stricken therefrom.

On election day, about 1 o'clock in the afternoon, the inspectors of this district directed a police officer to eject Michael Horgan, the regularly appointed Republican watcher, from the polling place, on the ground that he was a Democrat. Application was at once made to the Special Term of the Supreme Court in Brooklyn, for a mandamus reinstating him, and an order to show cause was issued by Mr. Justice Cullen, holding Special Term, directing the inspectors to show cause why said watcher should not be reinstated. An attempt was made to serve this order on the inspectors, at the polling place, at 5 o'clock in the afternoon, just after the polls had closed. The door of the polling place was closed, and two police officers inside of the polling place refused to permit entrance thereto, although a third police officer on the outside of the door endeavored to procure the entrance of the person attempting to serve such order. The inspectors were undoubtedly aware of

the attempt being made to serve this order, and refused to permit the door of the polling place to be opened. It appears by the testimony of John Hayes (Assembly Document No. 15, page 157), who was the other Republican watcher, that immediately after the polls were closed the voted ballots were removed from the ballot box, and were then counted and compared with the poll lists; that he was invited by the chairman of the board of inspectors to assist in the assorting and counting of the votes, and that, while he was engaged in counting certain of the Republican ballots which had been assorted out, all the other ballots disappeared, and he was informed that they had been burned. This was within half an hour after the closing of the polling place, and within a few minutes after the attempt to serve the order to show cause above mentioned, and before any statement of the result had been made out or certified; and no opportunity was given to the watcher to examine these ballots. When it is recalled that the law expressly forbids any watcher to handle a ballot, and requires that the ballots be not destroyed until the three statements of the result of the canvass of the votes have been made and signed and proclamation of the result has been made by the inspectors, and that all the ballots shall be exhibited to the watcher for examination if he so requires, it is clear that these ballots were destroyed in direct violation of the law and for a fraudulent purpose. It also appears that one of the policemen, a brother of the chairman of the board of inspectors, took part in the counting of the votes. Undoubtedly the inspectors kept the polling place closed contrary to law, and prevented the admission of the person endeavoring to serve the order to show cause, for a fraudulent purpose. They lulled the suspicions of the Republican watcher by permitting him to count certain of the ballots, and while his attention was thus diverted, destroyed all the other ballots. It also appears that at least three of the persons whose names appear upon the poll lists of this district were not registered.

The testimony of Hayes was not contradicted; only two witnesses were called by the contestee, being McCarthy, the alleged Republican inspector, and the Democratic poll clerk. These witnesses corroborated Hayes as to the disappearance of the ballots. McCarthy testified that he had counted the ballots before they were destroyed, and that they tallied with the statement made by the inspectors; but his testimony was materially shaken on cross examination, and the committee are of the opinion that he was not a credible witness. He testified that the registry of electors kept by him was not in his handwriting, but was made out by one of the Democratic inspectors. No effort was made

on the part of the contestee to call the two Democratic inspectors, or any Democratic watcher, or the other poll clerk, or the two ballot clerks, to refute the testimony on the part of the contestant. Besides these persons, the only persons in the booth were the two policemen above mentioned, but they were not called as witnesses. The Democratic poll clerk above mentioned testified that the ballots were counted by the inspectors, but that he did not see one of them.

The Facts as to the Fourth Election District of the Town of Southfield.

In this district the regular Republican inspector, for some reason, did not appear at the opening of the polls, and the two Democratic inspectors thereupon selected as the Republican inspector one Thomas Turner, who acted as such inspector on election day. At the close of the polls all of the inspectors joined in directing a police officer to eject one George Cornell, the regular appointed watcher of the Republican party, from the polling place, on the ground that he was not a Republican, but a Democrat. The door of the polling place was then closed and locked, and a police officer stationed inside. Besides the election officers and the policemen there was one Republican watcher and two Democratic watchers within the polling place. On demand of the Republican watcher and of the Republican poll clerk that the ballots be counted in such a way that their contents should be disclosed, the Democratic chairman refused, and the Republican watcher was not permitted to see all of the ballots. The Democratic inspectors and Turner, the alleged Republican inspector, and the watcher for the Democratic party, testified that they saw all of the ballots, and that the count, as certified by the inspectors, was correct; but great suspicion attaches to the whole proceeding on the part of the inspectors, especially in view of the fact that they had ejected the other Republican watcher and refused to allow the one who remained to see all the ballots.

As to the Law.

The counsel for the contestee substantially concedes that a return made in due form, and signed by the proper officers, may be disregarded where there is proof that the proceedings in the conduct of the election, or in the return of the vote were so tainted with fraud that the truth cannot be deduced therefrom. That this is the well settled law, there can be no doubt. (See McCrary on Elections, Chapter 16.)

It is the well settled law of this State.

See *People ex rel. Judson v. Thacher*, 55 N. Y., 525.
People ex rel. Stapleton v. Bell, 119 N. Y., 175,
 and particularly page 188.

But while it is true that the vote of the district to which such discredited return relates is not to be disregarded in every instance, and the question as to who received the majority of the legal votes is to be ascertained by other legal proof, yet if it clearly appears that the election was conducted under such circumstances of fraud, intimidation, violence or undue influence, participated in by the election officers and by the agents of one political party, so that the honest result is impossible or impracticable of ascertainment, the vote of such a district should be absolutely disregarded, even though it appears that some honest votes were polled at the election. The honest voter is thus made to suffer for the good of the whole body politic. In such a case it is impossible to ascertain what the true will of the voters of the district would have been had it been honestly and fairly expressed; and while the general rule is that a voter is not to be disfranchised for illegal acts on the part of election officials or on the part of others, yet it is apparent that under such circumstances as existed in the fifth, eighth and ninth election districts of the town of Castleton at the last election, the ascertainment of the will of the voters of these districts by legal evidence is an utter impossibility.

All ballots cast by illegally assisted voters were unlawful votes and should be rejected. This is a proposition which your committee feels justified by high authority in resolutely maintaining.

See *People ex rel. Nichols v. Board of Canvassers*, 129 N. Y., 395, and see particularly the prevailing opinions of Ruger, C. J., and O'Brien and Gray, JJ.

Such ballots were cast in direct violation of the spirit and object of the secret ballot law, the avowed purpose of which is to enable the voter to cast his ballot without possibility of revealing by the act of voting the identity or political complexion of the candidate voted for, and thus to prevent bribery and intimidation. They were prepared and voted in utter disregard of the provisions of section 104 of the Election Law, and in defiance of its express language. The voter, in disclosing the contents of his ballot, and the inspectors in permitting him to do so and receiving his ballot, violated the provisions of the Penal Code, and were guilty of felony or misdemeanor. (Sections 41 I, and 41 J, and subdivisions 10, 11 and 15 of section 41 K of the Penal Code.) It is no answer to these propositions to say that the voter or inspectors were innocent of intentional wrong-doing (see the case last above cited), or that the voter is thereby disfran-

chised. The law does not stop to make the impossible inquiry as to the motives of the voter. He deliberately violates the law, which he is presumed to know, and becomes an illegal voter, and his ballot an unlawful vote. Nor is it any answer to say that because the voter and the inspectors may be punished for their illegal acts, no other penalty can attach and the vote must be counted. It would certainly be an absurd and unreasonable contention, that a candidate should receive the benefit of such an unlawful vote because the illegal voter is liable to penal consequence for his act. Such a contention is contrary to precedent, and we venture to say that no authority for such a claim can be found. The very essence of the contest in *quo warranto* and contested election cases is, Which candidate received the greatest number of *legal* votes?

See *People v. Cook*, 8 N. Y., 67; *People v. Pease*, 27 N. Y., 45,

If such a claim is well founded, then contested elections would become a farce, and candidates might receive and enjoy an office, and the fees and emoluments thereof, to which they were elected by colonizers and repeaters or by bribed and fraudulent voters. The argument carries its own refutation. It is true that the Election Law does not in express language say that upon the canvass of the votes such ballots shall be rejected, but this is because the policy of the law does not give to merely ministerial officers, like inspectors of elections and boards of canvassers, the power to adjudicate on questions of this kind, but leaves their determination to the proper tribunals. (See *People v. Bell*, 119 N. Y., 175, and see particularly page 188.)

Counsel for the contestee, conceding the rule to be as above stated, in regard to the rejection of the return, attempted to rehabilitate his majority in the ninth election district of Castleton by calling voters to testify that they had voted the Democratic ticket. He called seventy-five voters, more than one-half of whom testified that they were assisted in the manner above mentioned; still others were solicited to permit assistance and refused; still others, who testified that they prepared their ballots without assistance, were unable to testify clearly as to the ticket that they voted, and one testified that he voted the Republican ticket. The contestant also called twenty witnesses to testify that they had voted the straight Republican ballot; three of these testified that they were assisted in the manner above mentioned; others testified that they were solicited by Mr. Tully and his aids to permit assistance and refused it; some were actually followed into the voting booths by these gentry, and in two

instances they were actually obliged to exclude these persons from the booth. No attempt was made by either of the parties to poll the votes in any of the other districts.

If we concede that there was no fraud outside of the fifth, eighth and ninth districts of Castleton, and exclude those districts, Michael Conklin, the contestant, would have a majority over Michael McGuire, the contestee, of 177 votes. The returns from the fifth, eighth and ninth election districts being rejected for fraud, under the well settled rules of law such returns are no longer evidence of the votes of those districts, and the parties to this contest, in any event, can only be allowed such votes in those districts as the evidence shows were legally cast for them. Conceding to the contestee seventy-four votes which were polled in the ninth district of Castleton as above mentioned, and seven votes in the fifth district of the town of Southfield, which were not returned by the inspectors; and crediting Michael Conklin, the contestant, with twenty votes polled by him in the ninth district of Castleton, as above mentioned, and one vote in the fifth district of Southfield, and one vote in the ninth district of Middletown, conceded to have been cast for him and not counted, and one vote sworn to by witness of contestee, the contestant, Michael Conklin, would still have a plurality of 119 votes upon the evidence in the case, disregarding the allegations of fraud in the fourth election district of Southfield.

In thus limiting our decision to the fifth, eighth and ninth districts of the town of Castleton, we do not mean to hold that there was not enough fraud shown in the fourth election district of Southfield to justify the rejection of the return from that district also, and thereby materially to increase the majority of Mr. Conklin. On the contrary, the conduct of all the inspectors of that district, in the ejection of a lawful watcher, and in the canvass of the vote behind closed and locked doors, and without giving the watchers an opportunity to verify the count — all gross violations of the Election Law and of their oath of office — are quite sufficient to justify the inference of fraud and conspiracy in the conduct of the election, and the canvass of the votes, and wholly to discredit their return. What faith can be reposed in any act of inspectors who have so shamefully and willfully violated the law, and why should their declaration of the result of the canvass be regarded as unimpeached, or why would the people accept their canvass without question?

We therefore report that the contestant, Michael Conklin, was duly elected to the office of Member of Assembly for the county of Rich-

mond, at the last general election, by a majority of 119 votes over and above the lawful votes received by the contestee, Michael McGuire, and by a plurality over all votes cast for all the candidates for Member of Assembly from said county, and that the said Michael Conklin was duly elected Member of Assembly from the county of Richmond, at said election; and we do hereby recommend the adoption of the following resolution:

Resolved, That Michael Conklin was at the last general election, elected to the office of Member of Assembly for Richmond county, which seat is now held by Michael McGuire, and the said Michael Conklin be and he is hereby awarded the same.

All of which is respectfully submitted.

GEO. S. HORTON.

J. F. TERRY.

EUGENE F. VACHERON.

PHILIP KECK.

WESLEY GOULD.

JAMES R. SHEFFIELD.

Dated *March 26*, 1894.

MINORITY REPORT.

* The testimony produced in support of the contest made against the election of Michael McGuire, as Assemblyman from Richmond county, covers the transactions in a number of election districts in different towns.

The counsel for the contestant has, however, withdrawn all charges except those affecting four election districts, namely, the fourth of Southfield and the fifth, eighth and ninth of Castleton.

At the last election a portion of the Democratic party known as "the reformers" or "anti-snappers," nominated a ticket which was composed of the Democratic State candidates (except Maynard) and the Republican county candidates. It was decided by the Supreme Court that this was not a party nomination and that they were not entitled to have an official ballot printed. Thereafter they worked in connection with the Republican party and nominated a watcher in each district, who received a certificate from the Republican party. In the fourth of Southfield and the fifth and ninth of Castleton (but not in the eighth) the watcher who had been nominated by this section of the Democratic party was excluded from the polls upon the ground that he was not a Republican, but a Democrat, and therefore his

appointment was improper. In the fourth of Southfield this was done with the assent of the Republican inspector, and another Republican was asked to and did take his place.

It is difficult to ascertain how this singular idea of the law originated. It is manifest that there was a very bitter feeling between the regular Democrats and those of their party who were acting in opposition to them, which led the former to do all they could to annoy the representatives of the latter. That the fact that the Supreme Court had decided them not to be a party did not deprive their members of the right to accept a nomination as watchers from the Republican party is too clear to need argument. It is also clear that, however improper the exclusion might have been, the action of the board of inspectors, in so excluding them, did not itself vitiate the election and deprive the voters in the district of the right to have their votes counted as cast.

It is well-settled law in this State that the inspectors of election are mere ministerial officers and that no act or default on their part can affect the result of the election unless it is shown to have rendered it impossible to ascertain the truth in regard to the votes cast.

In the case of the *People ex rel. v. Wilson* (62 N. Y., 186), it was held that it was improper to declare the votes cast in the Second ward of the city of Rochester illegal because it was shown that the inspectors had made up the registry by using the registry of the spring election instead of that of the general election in the fall; or that only two inspectors were present at the meeting of the preliminary registry; or that they did not appoint a chairman, or take the oath of office at that meeting; or that they did not certify either the preliminary or completed register. (Page 189.) The court specifically held (p. 193) that the duties in these particulars imposed upon the inspectors must be regarded as directory merely and not jurisdictional; "and the omission of the inspectors to observe them did not, according to the current of authority, invalidate their proceedings." It also quoted and affirmed the decision in the case of *People v. Cook* (8 N. Y., 67), that an election was not invalidated because the inspectors and clerks had omitted to take the oath of office besides failing to appoint two clerks, as required by the statute, or because of their closing the outer door at sundown and preventing any person from entering the room where the poll of the election was held and receiving thereafter the votes of those in the room. "That these irregularities were regarded as not being matters of substance which should invalidate the election." * * *

The court further said "the construction claimed by the relator, if admitted, would punish the electors for the delinquencies of the

inspectors, and render the right of suffrage insecure, and liable to be defeated by their fraud, caprice or negligence." (Page 196.)

It further held that as to forty-three votes cast by persons not registered, although plainly illegal, that if they were taken from the vote of the defendant the result would not be changed and for this reason the fact that they were illegally received is immaterial.

Citing *People v. Thatcher*, 55 N. Y., 525.

The exclusion of the watchers is not shown to have in any way affected the result in the fourth of Southfield or the fifth and eighth of Castleton. The regular Republican watcher remained and was active and vigilant.

It appears that after the exclusion of the watcher from the fifth of Castleton, a mandamus was issued by the Supreme Court, requiring his admission and that the person endeavoring to serve it was unable to obtain admission.

This matter also is one which does not affect the validity of the election. Hayes, the Republican inspector in this district, was active and vigilant. In fact, he is one of the witnesses through whom the contestant seeks to impugn the count. His idea was that the paper which was sought to be served was "a note from a judge of the Supreme Court." (Printed testimony, p. 157.) But it had nothing to do with the count.

We are therefore of the opinion that the question in regard to the election in these districts should be decided upon the sole ground of whether or not any fraud has been shown in the actual counting of the votes, or as to whether any fraudulent votes have been cast and as to the effect of such fraud or fraudulent votes upon the result.

An attack is made upon the count in the fourth district of Southfield, based upon the testimony of Roerick, the poll clerk, and Timlin, the Republican watcher.

It is admitted by all the witnesses that at the close of the polls the inspectors took one of the folding booths and made a table of it on which to count the ballots, the sides serving as legs. That they counted the ballots unopened and then separated them into two piles, one of straight Democratic and the other of straight Republican, there being two scratches in addition. That the Democratic ballots had been counted and announced as 138 when the table collapsed, and part of the Republican tickets fell to the floor, the Democratic tickets being caught by one of the inspectors.

It is conceded by Roerick that the falling was accidental and that

there was nothing wrong in the subsequent gathering up of the fallen ballots, and there can be no doubt but what this was the case. His main contention is that one of the inspectors, in counting the ballots, did not expose their whole face and that the objections of the Republican watcher, Timlin, to this action were disregarded. But Timlin, when called to corroborate him on this point, does not do so. Timlin's objection is that his request for a recount was refused. He says he stood between the two Democratic inspectors, but watched one of them only; that he saw sixty-six of the Democratic votes counted, but as there was some wrangling about some scratched tickets being among the straight, he did not see the count of the remainder. He therefore asked to see the whole number of 138 counted a second time on the table "only for accuracy sake" (p. 464), and the inspectors declared that it was not necessary.

On the other hand, it appears by the testimony of the three inspectors and Joseph J. Curran that the inspectors first counted the ballots unopened, that they were then separated into piles of straight tickets, there being 138 straight Democratic, twenty-eight Republican and two scratched. That they then counted the pile of Democratic ballots, passing them from one to the other until all had counted them, and then counted the Republican in the same way, the ballots being completely exposed. That the Democratic ballots had been counted and the result tallied before the table collapsed and did not fall upon the floor, all that fell being twenty-one Republican tickets, which were picked up and counted and made the tally correct.

It is clear upon the evidence that the count in this district was correct and that objections which were made in regard to it are without foundation. In fact, as the count of the unopened ballots agreed with the votes cast and the ballots were sorted and the Democratic ballots counted and tallied before the table collapsed, the number of Republican ballots was a mere matter of subtraction.

Mr. Timlin's claim was for a recount "only for accuracy sake," and the refusal of the inspectors to make such a count can not be considered to be fraudulent in the face of the testimony of four unimpeached witnesses that it was fair.

In the fifth of Castleton the contest is based upon the statement of Hayes, the Republican watcher (printed testimony, page 158) that the inspectors first counted the ballots unopened; then they started to open them and count them; "that *he* took all the Democratic tickets straight and put them in one pile and did the same with the Republican tickets, and that he was given the privilege of counting them." He then goes

on to say that he counted the Republican ballots twice, and that in the meantime the other inspectors were counting too. (p. 160). That when he got through he asked the Republican inspector where the Democratic tickets were and he said he did not know; that first he said he did not count them and then he said he did. That there were no Democratic tickets on the table when he (Hayes) got through.

As he admits that the total number of ballots agreed with the votes cast and that the ballots were properly sorted, the Republican vote being accurately counted, the finding of the Democratic vote was a mere matter of subtraction.

Certainly this statement is no evidence that they were not properly counted.

It is, however, shown by the testimony of James McCarthy, the Republican inspector, and Charles D. McGuire, the poll clerk, that all the ballots were counted in the regular way. The contestant has produced a package of unvoted ballots (which were filed instead of being destroyed) to show that there were more Republican votes cast than credit was given for, there being 106 Myer ballots returned, 117 Palmer, 181 Bogardus, 182 De Leon, 192 Wright.

From the fact that the paster ballots were extensively used, the number of ballots returned as unvoted affords no criterion of the actual vote, and for this reason the law requires the unvoted ballots to be destroyed.

There were 260 ballots issued to each voter. Deducting the ballots returned would give the number of votes cast. There being five ballots of 260 each makes a total of 1,300. It appears however, that deducting the

106 Myer ballots returned would give a vote of	154
117 Palmer ballots returned would give a vote of	143
181 Bogardus ballots returned would give a vote of	79
182 De Leon ballots returned would give a vote of	78
192 Wright ballots returned would give a vote of	68

778

This would call for a vote of	522
Adding the number of ballots cast	260

to the ballots returned makes only 1,038, whereas there were 1,300 ballots issued. It is therefore clear that this package only includes a part of the unvoted ballots, and being evidently a blunder may include some of those that were voted.

The vote in the eighth district of Castleton presents a novel question for decision.

All the election officers in this district and almost all the voters were inmates of Sailors' Snug Harbor. These are all old, broken-down sailors, ranging from about 60 to 84 years of age. One of the inspectors called before the committee was 76, the other 67. Most of the voters are more or less infirm, of poor sight, many partially paralyzed or injured, although not disabled to the extent that the law required them to be assisted. All being inmates of the same institution, many for long periods, they were known to each other and their infirmities were also known. Inspector Staigg said (p. 893) that they were so well known that no oath was necessary.

All these voters were residents of the district and were legal voters therein. When these men presented themselves to vote many of them were asked by the inspectors if they needed assistance to fold their ballots. If they said they did a person was allowed to accompany them into the booth for that purpose. But while the persons who assisted these voters were sworn and in some cases the voter himself, in no case (excepting one case where a man was blind) was the statutory oath administered that the voter was blind, unable to see both his hands or go into the booth without help. Whatever oath was administered was merely that he could not see well and could not or did not know how to fold his ballot.

No fraud whatever upon the part of any of the voters, except this assistance, is shown; neither has any fraud been established on behalf of any of the inspectors who entered upon their books the name of each person assisted.

It is shown by the evidence of the physician of the Harbor that there were sixty-six inmates of the Sailors' Snug Harbor who voted in that district and appear on the returns as having been assisted as above stated, who were not blind or unable to use both hands or walk to the booth without aid.

It is claimed by the contestant that under the provisions of the Election Law not more than one person shall occupy the voting booth at the same time, except that a voter who shall declare under oath to the inspectors of election that, by reason of total blindness, etc., he is unable to receive or prepare his ballots without assistance, may select a person for that purpose, who shall be allowed to pass within the guard rail and receive such ballots, and to enter the voting booth with such voter and there assist him in preparing his ballot

* * * and that "no voter shall otherwise ask or receive the assistance of any person within the polling place in the preparation of his ballot or divulge to any one

within the polling place the name of any candidate for whom he intends to vote or for whom he has voted." The receiving of assistance by the voters in question, as above stated, constitutes fraud and makes the vote of each of them a fraudulent vote, which cannot be counted in determining the person who was elected in the district; that it is analogous to a bribe vote.

We are of the opinion that this analogy does not exist, as the voters themselves were innocent of any attempt to violate the law.

While there is no evidence offered in regard to the eighth district of Castleton, in the ninth district it is shown that after some of the voters of the same class had gone in the booth a person was allowed to enter it after them and to offer them assistance, and that this was accepted in many cases with the idea that he was an election official.

It certainly was not the duty of the voter to eject him, nor can he be considered as forfeiting his vote because he did not do so.

It was not in the power of the voter to dictate to the inspector what oath he should take, nor to administer it to himself.

In order to deprive a citizen of his franchise for violating any provision of the Election Law, it is indispensable that some clear, unquestioned provision of law should exist, affecting that result. (*People v. Board*, 129 N. Y., 395, cited below.) Such an important right of a citizen cannot be taken from him by any negligent, careless or even fraudulent act of an election officer.

The committee expresses no opinion as to what course should be adopted if these voters had willfully taken a false oath in regard to their physical condition. That would bring in a question of personal fraud which would make a very different state of facts.

But as above stated, no such fraud on behalf of the voter has been shown in these cases, and the transaction was due to the carelessness and inefficiency of the inspectors.

We consider that the duty of the inspectors in this respect is ministerial, and while they may be punished for violating it, yet that their failure to perform it cannot affect the validity of the election or disfranchise a legal voter who casts his ballot at it any more than their action in receiving the vote of a legal voter after the time fixed for the closing of the polls, which in the case above cited, was held not to affect the election.

We are therefore of the opinion that the votes of these sixty-six assisted voters in this district were properly counted for Mr. McGuire.

It will be remembered that the only provision in regard to the

rejection of ballots contained in the Election Law is as to marked ballots, and as to this there is a special provision of law that the inspector shall not receive them, and providing that these votes, if they are received, must not be counted.

In *People ex rel Nichols v. Board of Canvassers of Onondago County* (129 N. Y., page 395), it was held, in referring to the marked ballots, that *in the absence of some clear and positive prohibition in the statute against counting such ballots* the tendency of the courts would undoubtedly be in the direction of effectuating, as far as possible, the intent of the voter; and that the statute should be so construed as not to place the restriction in this way, but that as to marked ballots, where there *is* such a provision, the ballots so cast are void, and should not be counted (p. 402). This decision was made by the court, upon the ground that besides the prohibition that no voter or election officer should reveal to another person the name of another candidate for whom he had voted, and that he should not mark his ballot, the law provided that any ballot which contained a mark, with the intent that such ballot should afterwards be identified, *should be void and of no effect* (p. 404). *That no such ballot should be deposited in the ballot box, and that no ballot which has not the printed official indorsement should be counted in the canvass* (p. 408).

See Judge Ruger's opinion, page 421.

The fact of this provision excluding marked ballots, and that there is no other provision of the Election Law excluding a ballot, demonstrates that the ballots in question should not be disregarded.

The action of the election officers in the ninth district of Castleton is shown to be such that no reliance has been placed upon it by the sitting member. He has attempted to establish his vote by oral testimony by calling the voters. A number of these have shown that they were assisted. No fraud whatever on their behalf has been shown. No oath was ever administered to any of them, and the person assisting them in many cases thrust his assistance upon them and it was accepted in good faith. They are therefore legal votes.

It is claimed by the counsel for the contestant that in the eighth district of Castleton there were forty-five illegal votes. Eight of these were persons not registered and the remainder were personated or voters whose residence cannot be found. In four of these cases of registry it is evident that the name of one voter who was registered has been confounded with another who voted. The other four votes are not explained. There are also included in the different classes of

persons not found such repetitions as to bring the whole number of votes in question down to thirty-five.

Under the settled law of this State all that the contestant is entitled to claim is that these thirty-five votes shall be deducted from those given his adversary and that if, after such deduction, the result is not affected, their rejection is immaterial.

The majority for Mr. McGuire was 284. To this should be added seven ballots cast for him in the ninth of New Brighton, which were not counted by the inspectors and which did not cover the entire ballot. This makes the vote 291. From this should be deducted one vote cast for M. Conklin which was not counted for the contestant, which makes McGuire's majority 290. Deducting from this the entire vote given in the ninth of Castleton, 252, leaves thirty-nine, to which is to be added twenty votes, the number cast for Conklin in this district, which are also to be rejected, making a total of fifty-nine. Deducting thirty-five from this leaves McGuire's majority twenty-four.

In addition to this, he has proved by oral testimony that there were cast for him in the ninth of Castleton seventy-three votes. Mr. Conklin has proved twenty votes (six of which were assisted). This gives McGuire a clear majority of seventy-five votes.

We are therefor of the opinion that Michael McGuire has been legally elected as Member of Assembly from Richmond county and is entitled to his seat.

We therefore report the following resolution :

Resolved, That the petition of Michael Conklin, claiming to be elected Assemblyman from Richmond county, State of New York, be, and the same is hereby dismissed.

Resolved, That Michael McGuire, the sitting Member of Assembly for Richmond county, is entitled to his seat in the Assembly of the State of New York as Member of Assembly for said county.

All of which is respectfully submitted.

HENRY McNAMEE.

VICTOR J. DOWLING.

Dated *March 26*, 1894.

Mr. Ainsworth moved that the time for debate upon said report be limited, and that a vote be taken upon the question at 4 o'clock.

Mr. Thornton in the chair.

Extended debate being had.

Mr. Speaker in the chair.

Mr. Sulzer offered the following as a substitute for the resolution reported by a majority of the committee :

Resolved, That the petition of Michael Conklin claiming to be elected Assemblyman from Richmond county, State of New York, be, and the same is hereby dismissed.

Resolved, That Michael McGuire, the sitting member of Assembly for Richmond county, is entitled to his seat in the Assembly of the State of New York as Member of Assembly for said county.

Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Dinkelspiel	Hoysradt	Nixon	Southworth
Babcock	Douglas	Keck	O'Donnell	Stadtfeld
Baker	Dowling	Keenan	O'Grady	Stein
Berry	Eldredge	Keleher	Parkhurst	Stevens
Braun	Fairbrother	Kelsey	Plant	Stewart
Brennan	Finnigan	Kerr	Prescott	Stone
Brownell	Fish	Kern	Reilly	Sulzer
Burtis	Foley	Kneeland	Rider, J.J.	Taylor
Bush	Friday	Kerrigan	Robbins	Terry, C. W.
Butts	Fuller	La Fetra	Robertson	Terry, J.F.
Cahill	Gardiner	Lasch	Robinson	Thompson
Cain	Gerst	Lawson	Robson	Thornton
Callahan	Gleason	Lee	Roche	Tilton
Carroll	Glenn	Lounsbury	Ryder, E.L.	Tobin
Cassin	Gould	Loonan	Scanlan	Trainor
Chambers	Gray	Marrin	Schillinger	Tuttle
Chapman	Harrigan	Matthews	Schoepflin	Vacheron
Clark, F.E.	Hennessy	McDermott	Schulz, F.F.	Van Amber
Clark, J. H.	Higbie	McGuire	Schulz, H	Vehslage
Corrigan	Hobbie	McKeon	Seibert	Whittet
Coughlin	Hoefer	McNamee	Sheffield	Wieman
Cutler	Horton	Melody	Sherwood	Wilcox
Davidson	Hotaling	Messiter	Smith, M. F.	Wray
Dean	Houghton	Mittnacht	Smith, S.W.	Wyckoff
Denniston	Howe	Myers	Snyder	Speaker 125

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the resolution of Mr. Sulzer, and it was determined in the negative.

{ AYES 56 }
 { NOES 67 }

Those who voted in the affirmative, were

Berry	Coughlin	Keenan	McNamee	Schillinger
Brennan	Davidson	Keleher	Melody	Schulz, F.F.
Brush	Dinkelspiel	Kerr	Mittnacht	Schulz, H
Butts	Douglas	Kerrigan	Myers	Southworth
Cahill	Dowling	La Petra	O'Donnell	Stadtfield
Cain	Finnigan	Lasch	Plant	Stein
Callahan	Foley	Lounsbury	Reilly	Sulzer
Carroll	Gleason	Loonan	Robinson	Tobin
Cassin	Harrigan	Marrin	Roche	Trainor
Chapman	Hennessy	McDermott	Ryder, E.L.	Vehslage
Clark, F.E.	Hoysradt	McKeon	Scanlon	Wieman
Corrigan				

Those who voted in the negative, were

Ainsworth	Friday	Kelsey	Robertson	Terry, C W.
Babcock	Gardiner	Kern	Robson	Terry, J.F.
Baker	Gerst	Kneeland	Schoepflin	Thompson
Braun	Glenn	Lawson	Seibert	Thornton
Brownell	Gould	Lee	Sheffield	Tilton
Burtis	Gray	Matthews	Sherwood	Tuttle
Chambers	Higbie	Messiter	Smith, M. F.	Vacheron
Clark, J. H.	Hobbie	Nixon	Smith, S.W.	Vanm A ber
Cutler	Hoefler	O'Grady	Snyder	Whittet
Dean	Horton	Parkhurst	Stevens	Wilcox
Denniston	Hotaling	Prescott	Stewart	Wray
Eldredge	Houghton	Rider, J.J.	Stone	Wyckoff
Fa other	Howe	Robbins	Taylor	Speaker
Fish	Keck			

When the name of Mr. McGuire was called, he asked to be and was excused from voting.

Mr. Speaker put the question whether the House would agree to the adoption of the resolution reported by a majority of the committee, and it was determined in the affirmative.

{ AYES 71 }
 { NOES 53 }

Those who voted in the affirmative, were

Ainsworth	Gerst	Kneeland	Schoepflin	Terry, J.F.
Babcock	Glenn	Lawson	Schulz, F.F.	Thompson
Baker	Gould	Lee	Schulz, H	Thornton
Braun	Gray	Matthews	Seibert	Tilton
Brownell	Higbie	Messiter	Sheffield	Tuttle
Burtis	Hobbie	Nixon	Sherwood	Vacheron

Chambers	Hoefler	O'Grady	Smith, M. F.	Van Amber
Clark, J. H.	Horton	Parkhurst	Smith, S.W.	Wells
Cutler	Hotaling	Prescott	Snyder	Whittet
Dean	Houghton	Rider, J.J.	Stevens	Wieman
Denniston	Howe	Robbins	Stewart	Wilcox
Eldredge	Keck	Robertson	Stone	Wyckoff
Fairbrother	Kelsey	Robson	Taylor	Wray
Fish	Kern	Scanlon	Terry, C.W.	Speaker
Friday				

Those who voted in the negative, were

Berry	Coughlin	Hoysradt	McGuire	Roche
Brennan	Davidson	Keenan	McKeon	Ryder, E.L.
Bush	Dinkelspiel	Keleher	McNamee	Schillinger
Butts	Douglas	Kerr	Melody	Southworth
Cahill	Dowling	Kerrigan	Mittnacht	Stadtfeld
Cain	Finnigan	La Petra	Myers	Stein
Callahan	Foley	Lasch	O'Donnell	Sulzer
Carroll	Gardiner	Lounsbury	Plant	Tobin
Cassin	Gleason	Loonan	Reilly	Trainor
Chapman	Harrigan	Marrin	Robinson	Vehslage
Corrigan	Hennessy	McDermott		

Mr. Speaker declared Michael Conklin entitled to the seat now occupied by Michael McGuire.

Mr. Conklin appeared before the bar of the House, and the oath of office was administered to him by the Speaker.

Mr. Sheffield offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 805, entitled "An act to authorize the procuring of new grounds and the erection thereon of buildings for the use of the College of the City of New York, and to provide the means to pay for the same," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend the Code of Civil Procedure, relative to stenographers of the Supreme Court in certain districts." (Int. No. 1168.)

"An act to amend chapter 755 of the Laws of 1868, entitled

‘An act to incorporate the Port Jervis Water-Works Company,’ passed May 8, 1868.” (Int. No. 793.)

“An act to reappropriate certain unexpended balances of former appropriations.” (Int. No. 1191.)

“An act to prevent and punish fraudulent sales of goods, wares and merchandise at public or private sale by itinerant vendors, and to regulate such sales.” (Int. No. 546.)

“An act to provide for the payment of an allowance to families of firemen killed or fatally injured in the discharge of their duties.” (Int. No. 1024.)

“An act to amend the Code of Civil Procedure, relative to the jurisdiction of the Supreme Court over the person and property of incompetent persons.” (Int. No. 1059.)

“An act to correct manifest errors in chapters 66 and 67 of the Laws of 1894, relating to the village of Lansingburgh.” (Int. No. 1139.)

“An act to amend chapter 161 of the Laws of 1889, entitled ‘An act in relation to local improvements in the town of Flatbush, and the acquisition of the rights of a plank road company in said town.’” (Int. No. 1105.)

“An act to provide for the payment of the amount advanced, or to be advanced, by the city of Schenectady for improvements made on Rotterdam street and Water street in said city, and for the collection of the same.” (Int. No. 876.)

“An act authorizing boards of supervisors to appoint commissioners for the equalization of taxes.” (Int. No. 976.)

“An act to provide for repairing the bridges across the Tonawanda creek on the Tonawanda Indian reservation and make an appropriation for the same.” (Int. No. 1186.)

“An act to authorize the Board of Claims to hear, audit and determine claims for military uniforms for the National Guard of the State of New York, and to make an award therefor.” (Int. No. 751.)

“An act to amend the Code of Civil Procedure, relative to claims against estates of decedents. (Int. No. 364.)

“An act to amend chapter 207 of the Laws of 1851, entitled ‘An act declaring Moose river, together with the north and south branches thereof, in the State of New York, a public highway, and regulating the passage of logs and timber down the same.’” (Int. No. 1066.)

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and consolidate therewith the several acts in relation to the charter of said city,' and the several acts amendatory thereof and supplementary thereto." (Int. No. 1208.)

"An act to secure independence of voters at town meetings, secrecy of the ballot, and providing for the use of automatic ballot-cabinets." (Int. No. 661.)

"An act to provide for subsistence, pay and expenses of light artillery of National Guard, New York." (Int. No. 757.)

"An act to provide means for constructing and repairing ditches for carrying off the back water from the lands in the town of Wheatfield, in the county of Niagara, occasioned by the erection of the State dam for canal purposes across the Tonawanda creek near its mouth in the village of Tonawanda." (Int. No. 281.)

"An act to reappropriate the unexpended balance of the sum of \$8,000 appropriated by chapter 705 of the Laws of 1892, entitled 'An act to authorize the building of a dyke and the removal of a bar for the protection of property adjacent to the Chemung river in the city and town of Corning, in the county of Steuben, and making an appropriation therefor.'" (Int. No. 893.)

"An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service in the State of York.'" (Int. No. 929.)

"An act to lay out and establish Fort Washington park in the Twelfth ward of the city of New York." (Int. No. 943.)

"An act in relation to assessments for public improvements in the towns of this State and to provide for reviewing and correcting the same." (Int. No. 897.)

"An act to provide for the establishment of a home for the aged dependent veteran and his wife, veterans' mothers, widows and army nurses, residents of New York." (Int. No. 487.)

"An act to amend title 10 of part 6 of the Code of Criminal Procedure, in relation to criminal statistics, and to repeal section 1592 of chapter 410 of the Laws of 1882." (Int. No. 927.)

"An act making an appropriation for repairing and reconstructing the State armory and drill-room, at Walton, and to

provide for the acquisition of additional land, and appointing a commission therefor." (Int. No. 346.)

"An act to amend section 3 of chapter 347 of the Laws of 1878, entitled 'An act to amend chapter 371 of the Laws of 1875, entitled An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs.'" (Int. No. 521.)

"An act creating a commissioner of jurors for counties of the State having a population of 300,000 or more, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in courts of record in such counties; also prescribing the qualifications, exemptions and length of service of such jurors." (Int. No. 1042.)

Mr. Seibert introduced a bill entitled "An act to authorize the common council of the city of Buffalo to transfer Front avenue to the board of park commissioners as a park approach" (Int. No. 1374), which was read the first time and referred to the committee on affairs of cities.

Mr. Ainsworth introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages'" (Int. No. 1375), which was read the first time and referred to the committee on affairs of villages.

Also, a bill entitled "An act to regulate the performance of highway labor by the Thousand Island Park Association, in the town of Orleans, Jefferson county, New York" (Int. No. 1376), which was read the first time and referred to the committee on the judiciary.

Mr. Gerst introduced a bill entitled "An act to facilitate State commerce, by increasing the depth of water in the Erie basin at Buffalo" (Int. No. 1377), which was read the first time and referred to the committee on ways and means.

Mr. Marrin introduced a bill entitled "An act for the relief of Wesley S. Yard" (Int. No. 1378), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. Fish, the committee on affairs of cities was discharged, and said bill referred to the committee on claims.

Mr. Messiter introduced a bill entitled "An act to amend chapter 263 of the Laws of 1892, entitled 'An act in relation to

electrical subways in the city of New York'” (Int. No. 1379), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Dean introduced a bill entitled “An act to amend chapter 535 of the Laws of 1888, entitled ‘An act to incorporate the city of Middletown’” (Int. No. 1380), which was read the first time and referred to the committee on affairs of cities.

Mr. Wells introduced a bill entitled “An act to further amend chapter 26 of the Laws of 1885, entitled ‘An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city’” (Int. No. 1381), which was read the first time and referred to the committee on affairs of cities.

Mr. E. L. Ryder introduced a bill entitled “An act to amend chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York’” (Int. No. 1382), which was read the first time and referred to the committee on affairs of cities.

Mr. J. H. Clark introduced a bill entitled “An act to authorize John Rigerman, Jr., of the town of Lockport, to sell and convey the cemetery grounds situated on the farm owned by him in said town” (Int. No. 1383), which was read the first time and referred to the committee on internal affairs.

Also, a bill entitled “An act to amend section 34 of the railroad law, being chapter 676 of the Laws of 1892” (Int. No. 1384), which was read the first time and referred to the committee on railroads.

Mr. Baker introduced a bill entitled “An act to locate the office of the clerk of the town of Ausable” (Int. No. 1385), which was read the first time and referred to the committee on affairs of villages.

Mr. Wray (by request) introduced a bill entitled “An act to amend the insurance law” (Int. No. 1386), which was read the first time and referred to the committee on insurance.

Mr. Cassin introduced a bill entitled “An act to amend chapter 305 of the Laws of 1891, entitled ‘An act to revise, amend and consolidate the several acts in relation to the village of Bath-on-the-Hudson, and to revise and amend the charter of said village and to repeal certain acts and parts of acts’” (Int. No. 1388),

which was read the first time and referred to the committee on affairs of villages.

Mr. Sulzer introduced a bill entitled "An act to amend sections 899 and 911 of the Code of Criminal Procedure, relative to disorderly persons" (Int. No. 1389), which was read the first time and referred to the committee on codes.

Mr. Lawson introduced a bill entitled "An act to amend title 11 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the duties of the police force" (Int. No. 1390), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to make lawful the private use and occupation of a portion of the public streets and sidewalks in the city of New York" (Int. No. 1391), which was read the first time and referred to the committee on affairs of cities.

Mr. Dowling introduced a bill entitled "An act to amend subdivision 2 of section 2862 of the Code of Civil Procedure, relative to jurisdiction of justices' courts" (Int. No. 1392), which was read the first time and referred to the committee on codes.

Mr. Friday introduced a bill entitled "An act in relation to Pacific street in the city of Brooklyn" (Int. No. 1393), which was read the first time and referred to the committee on affairs of cities.

Mr. Wilcox introduced a bill entitled "An act to amend section 65 of title 2, chapter 3, part 4 of the Revised Statutes, relating to State prisons, with respect to assistant clerk to take affidavits" (Int. No. 1394), which was read the first time and referred to the committee on State prisons.

Mr. Wray (by request) introduced a bill entitled "An act for the better protection of labor in the State of New York" (Int. No. 1395), which was read the first time and referred to the committee on labor and industries.

Mr. Lawson introduced a bill entitled "An act to provide for the sale of the privilege of dumping earth and rock in such parts of the public parks of the city of New York as may require to be filled in" (Int. No. 1396), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act relating to the exemption of persons from serving as trial jurors, and directing the police depart-

ment of the city of New York to obtain affidavits of owners, agents or persons in charge of houses and buildings in said city setting forth the names of all males dwelling or lodging therein" (Int. No. 1397), which was read the first time and referred to the committee on the judiciary.

Mr. Schoepflin introduced a bill entitled "An act to amend chapter 238 of the Laws of 1890, relating to commitments to the Western House of Refuge for Women" (Int. No. 1401), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Burtis introduced a bill entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to contracts" (Int. No. 1402), which was read the first time and referred to the committee on affairs of cities.

Mr. F. E. Clark introduced a bill entitled "An act in relation to Marcy avenue, in the city of Brooklyn" (Int. No. 1403), which was read the first time and referred to the committee on affairs of cities.

Mr. Taylor introduced a bill entitled "An act respecting the offices of the keeper and assistant keeper of the hall of records in the city of Brooklyn, county of Kings" (Int. No. 1404), which was read the first time and referred to the committee on affairs of cities.

Mr. Melody introduced a bill entitled "An act to prevent the construction or operation of a railroad on South Ninth street, between Wythe avenue and Broadway, in the city of Brooklyn" (Int. No. 1405), which was read the first time and referred to the committee on affairs of cities.

Mr. Douglas introduced a bill entitled "An act to amend chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled An act to provide for the incorporation of religious societies, and the acts supplementary thereto'" (Int. No. 1406), which was read the first time and referred to the committee on general laws.

Mr. Lawson introduced a bill entitled "An act to amend chapter 602 of the Laws of 1892, entitled 'An act to secure the registration of plumbers and the supervision of plumbing and drainage in the cities of the State of New York'" (Int. No. 1407),

which was read the first time and referred to the committee on the judiciary.

Mr. Taylor introduced a bill entitled "An act to amend section 13: 8 of the Code of Civil Procedure" (Int. No. 1408), which was read the first time and referred to the committee on codes.

Mr. Kerrigan introduced a bill entitled "An act to amend sections 3131 and 3221 of the Code of Civil Procedure, relative to action by employes for wages and materials furnished" (Int. No. 1409), which was read the first time and referred to the committee on codes.

Mr. Carroll introduced a bill entitled "An act to enable the city of Albany to procure additional land for park purposes" (Int. No. 1410); which was read the first time and referred to the committee on affairs of cities.

Mr. Herrman introduced a bill entitled "An act amending section 1929 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Int. No. 1411), which was read the first time and referred to the committee on codes.

Mr. Davidson introduced a bill entitled "An act to amend section 5 of chapter 413 of the Laws of 1892, entitled 'An act to provide for the construction of a drawbridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city'" (Int. No. 1412), which was read the first time and referred to the committee on affairs of cities.

Mr. Robinson introduced a bill entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City'" (Int. No. 1413), which was read the first time and referred to the committee on affairs of cities.

Mr. Harrigan introduced a bill entitled "An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law, and to incur indebtedness for the grading, macadamizing and improving of highways in said town" (Int. No. 1414), which was read the first time and referred to the committee on internal affairs.

Mr. Gardiner introduced a bill entitled "An act making an

appropriation for repairing and rebuilding the Schoharie creek dam, used as a feeder for the Erie canal" (Int. No. 1415), which was read the first time and referred to the committee on ways and means.

Mr. Lounsbury introduced a bill entitled "An act to repeal an act entitled 'An act to fix the compensation of assessors in the several towns of Ulster county,' passed May 12, 1865" (Int. No. 1416), which was read the first time and referred to the committee on internal affairs.

Mr. Friday introduced a bill entitled "An act in relation to Macon street, in the city of Brooklyn" (Int. No. 1417), which was read the first time and referred to the committee on affairs of cities.

Mr. Cahill introduced a bill entitled "An act to amend chapter 217 of the Laws of 1879, entitled 'An act in relation to oil wells,' as amended by chapter 64 of the Laws of 1882, so as to embrace gas wells" (Int. No. 1418), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Berry introduced a bill entitled "An act to amend section 37 of chapter 68 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws'" (Int. No. 1419), which was read the first time and referred to the committee on general laws.

Mr. Bush introduced a bill entitled "An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures'" (Int. No. 1420), which was read the first time and referred to the committee on general laws.

Mr. Whittet introduced a bill entitled "An act to amend the railroad law, in the relation to the transportation of persons and property" (Int. No. 1421), which was read the first time and referred to the committee on railroads.

Mr. Harrigan introduced a bill entitled "An act to provide for the construction of an asphalt payment, in the village of White Plains" (Int. No. 1422), which was read the first time and referred to the committee on villages.

Mr. Cutler introduced a bill entitled "An act in relation to the fire insurance brokers" (Int. No. 1423), which was read the first time and referred to the committee on insurance.

Mr. Scanlon introduced a bill entitled "An act in relation to the extension and improvement of Liberty avenue in the city of

Brooklyn" (Int. No. 1424), which was read the first time and referred to the committee on affairs of cities.

Mr. Hobbie introduced a bill entitled "An act to amend the insurance law" (Int. No. 1425), which was read the first time and referred to the committee on insurance.

Mr. Cutler introduced a bill entitled "An act to extend the time for the completion of the Hudson Tunnel Railway" (Int. No. 1426), which was read the first time and referred to the committee on commerce and navigation.

Mr. Schoepflin introduced a bill entitled "An act in relation to canal boat mortgages" (Int. No. 1427), which was read the first time and referred to the committee on the judiciary.

Mr. Hoysradt introduced a bill entitled "An act providing for the erection of a State armory in the city of Hudson, Columbia county, the acquisition of a site therefor, and making an appropriation for building said armory" (Int. No. 1428), which was read the first time and referred to the committee on ways and means.

Mr. Kneeland introduced a bill entitled "An act to abolish imprisonment in civil actions, and to provide for the punishment of certain frauds" (Int. No. 1429), which was read the first time and referred to the committee on codes.

Also, a bill entitled "An act to amend the Code of Civil Procedure, relating to attachments" (Int. No. 1430), which was read the first time and referred to the committee on codes.

Also, a bill entitled "An act to provide for the discharge of an insolvent from his debts" (Int. No. 1431), which was read the first time and referred to the committee on general laws.

Also, a bill entitled "An act to amend the Code of Civil Procedure, relating to the jurisdiction of the city court of New York" (Int. No. 1432), which was read the first time and referred to the committee on public codes.

Mr. Wray (by request) introduced a bill entitled "An act to enable owners of lands which have been subdivided by map into lots or plats to disclaim and abandon the subdivision thereof" (Int. No. 1433), which was read the first time and referred to the committee on general laws.

Mr. Harrigan introduced a bill entitled "An act to ascertain and provide for payment of damages suffered by reason of the destruction by the board of health of the city of Yonkers of dams on Nepperhan river in the city of Yonkers" (Int. No.

1434), which was read the first time and referred to the committee on claims.

Mr. Sulzer introduced a bill entitled "An act to amend chapter 185 of the Laws of 1894" (Int. No. 1435), which was read the first time and referred to the committee on affairs of cities.

Mr. Keenan introduced a bill entitled "An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the Firemen's Association of the State of New York'" (Int. No. 1436), which was read the first time and referred to the committee on general laws.

Mr. Gerst introduced a bill entitled "An act authorizing the construction of a stone wall along the edge of the towing path of the Erie canal and on the west line of property known as No. 10 Austin street, in the city of Buffalo, and making an appropriation therefor" (Int. No. 1437), which was read the first time and referred to the committee on ways and means.

Mr. Burtis introduced a bill entitled "An act to release to George Hyne, John Kilgour and David Kilgour, all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn, county of Kings and State of New York" (Int. No. 1438), which was read the first time and referred to the committee on claims.

Mr. Gerst introduced a bill entitled "An act to confer upon the trustees of the village of Williamsville, in Erie county, as to liquor licenses granted within said village the powers of the board of excise of the town of Amherst" (Int. No. 1440), which was read the first time and referred to the committee on affairs of villages.

Mr. Sheffield introduced a bill entitled "An act to amend chapter 584 of the Laws of 1869, entitled 'An act to create the Manhattan Eye and Ear Hospital in the city of New York, passed May 5, 1869, as amended by chapter 349 of the Laws of 1884'" (Int. No. 1441), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Ainsworth introduced a bill entitled "An act to amend the charter of the United States Mortgage Company" (Int. No. 1439), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second time, ordered to a third reading and referred to the committee on the judiciary.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fairbrother, Int. No. 1308, entitled "An act to authorize the town of Newtown, in Queens county, to convey certain real estate, being a part of its common lands," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sherwood, Int. No. 1306, entitled "An act to amend chapter 418 of the Laws of 1879, entitled 'An act to amend chapter 501 of the Laws of 1873, entitled An act to amend an act entitled An act requiring mortgages of personal property to be filed in the town clerk's and other offices,' passed April 20, 1833," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lawson, Int. No. 569, entitled "An act to amend chapter 602 of the Laws of 1892, entitled 'An act to secure the registration of plumbers and supervision of plumbing and drainage in the cities of the State of New York,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Siebert, Int. No. 1310, entitled "An act to authorize the Buffalo library to take and hold property for special purposes," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Pound, Rec. No. 294, entitled "An act concerning the Niagara Falls Suspension Bridge Company, and to amend chapter 133 of the Laws of 1855, entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' as revived and extended by chapter 239 of the

Laws of 1867," reported in favor of the passage of the same, without amendment, which report was agreed to.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Prescott	Southworth
Babcock	Eldredge	Howe	Rider, J.J.	Stadtfeld
Baker	Fairbrother	Keenan	Robbins	Stewart
Berry	Finnigan	Kelsey	Robertson	Stone
Braun	Fish	Kern	Robinson	Sulzer
Burtis	Foley	La Fetra	Robson	Terry, C.W.
Bush	Friday	Lasch	Roche	Thompson
Butts	Fuller	Lawson	Ryder, E.L.	Thornton
Carroll	Gerst	Lee	Scanlon	Tilton
Cassin	Gleason	Lounsbury	Schillinger	Tuttle
Chambers	Glenn	Loonan	Schoepflin	Vehslage
Clark, F.E.	Gould	Marrin	Schulz, F.F.	Wells
Clark, J. H.	Harrigan	McDermott	Schulz, H	Whittet
Conklin	Higbie	McKeon	Seibert	Wieman
Cutler	Hobbie	Melody	Smith, M.F.	Wilcox
Davidson	Hoefler	Messiter	Smith, S.W.	Wray
Denniston	Horton	Mitnacht	Snyder	Wyckoff
Dinkelspiel	Hotaling	O'Grady		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gardiner, Int. No. 492, entitled "An act to amend an act entitled 'An act respecting elections other than for militia and town officers,' being chapter 140 of the Laws of 1892," reported in favor of the passage of the same, with the following amendments :

Page 1, line 5, strike out the word "session" and insert the

"meeting;" line 7, strike out all after the word "law;" strike out all of lines 8, 9 and 10.

Page 2, line 2, strike out the word "session" and insert the word "meeting;" line 3 strike out all after the word "boards;" strike out all of line 4.

Amend the title by striking out the word "ninety" and inserting the word "forty."

HOWARD THORNTON,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheffield, Int. No. 728, entitled "An act to incorporate the Provident Loan Society of New York" recommends that the House concur in the amendment made by the Senate thereto.

Mr. Speaker put the question whether the House would concur in the amendment, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 55 }
{ NOES 48 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keck	Robson	Sulzer
Baker	Fish	Kneeland	Roche	Terry, C.W.
Berry	Foley	Lawson	Ryder, E.L.	Thompson
Carroll	Fuller	Lounsbury	Schoepflin	Thornton
Chambers	Gerst	Messiter	Seibert	Tilton
Clark J. H.	Glenn	O'Grady	Sheffield	Tuttle
Conklin	Higbie	Parkhurst	Smith, M.F.	Van Amber
Corrigan	Hobbie	Prescott	Snyder	Wells
Cutler	Hoefer	Reilly	Stadtfeld	Whittet
Denniston	Horton	Rider, J.J.	Stevens	Wray
Eldredge	Howe	Robinson	Stewart	Speaker

Those who voted in the negative, were

Babcock	Davidson	Keleher	Melody	Smith, S.W.
Brennan	Dinkelspiel	Kelsey	Mittnacht	Southworth
Bush	Dowling	Kern	Nixon	Stein
Butts	Friday	Kerrigan	Robbins	Stone
Cahill	Gould	La Fetra	Robertson	Taylor
Callahan	Harrigan	Lasch	Scanlon	Vehslage
Cassin	Hotaling	Lee	Schillinger	Wieman
Chapman	Houghton	Marrin	Schulz, F.F.	Wilcox
Clark, F.E.	Hoysradt	McKeon	Schulz, H	Wyckoff
Coughlin	Keenan	McNamee		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendment.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Harrigan, Int. No. 864, entitled "An act to revise the charter of the city of Yonkers," reported in favor of the passage of the following substitute therefor :

AN ACT to revise the charter of the city of Yonkers.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

TITLE I.

Of the Powers, Boundaries and Civil Divisions of the City of Yonkers.

Section 1. The territory included within the following boundaries, and the citizens of this state from time to time residing therein, shall be a municipal corporation by the name of "the city of Yonkers." The city shall be bounded westerly by the westerly line of the county of Westchester, northerly by the town of Greenburgh, easterly by the middle line of the Bronx river, and southerly by a line commencing at a point in the middle of the Bronx river, which bears north thirty-three degrees and thirty minutes east, twenty-one hundred feet from the point of intersection of the middle line of the Harlem railroad with the southerly line of the public highway leading from the Mile-square road easterly to and past the Woodlawn station on the Harlem railroad; thence running from said point in the Bronx river on a straight line westerly, and passing through the point of intersection of the original high-water mark of the easterly shore of the Hudson river with the northerly boundary line of lands of the Sisters of Charity of Saint Vincent de Paul to the west bounds of the county of Westchester.

§ 2. The city shall be divided into five wards, bounded as follows:

First ward.—Beginning at the intersection of the extension westerly of the middle line of Main street, as it runs from Buena Vista avenue to the Hudson river, with the westerly line of the city of Yonkers; and running thence easterly along said extended line and middle line of Main street to its intersection with the center line of South Broadway at Getty square; thence southerly along the center line of South Broadway to McLean avenue; thence southeasterly and southerly along the middle line of

McLean avenue to a point in said middle line nearest to the southerly line of the city of Yonkers; thence due south to said southerly line; thence westerly along said southerly line to the westerly line of the city; thence northerly along said westerly line to the place of beginning.

Second ward.—Beginning at a point formed by the intersection of the middle line of Ashburton avenue with the middle line of Nepperhan avenue; thence easterly along the middle line of Ashburton avenue (crossing the Nepperhan river) to the center line of the highway running easterly past the Yonkers cemetery; thence easterly and southerly along the middle line of the said last-mentioned highway to Yonkers avenue; thence easterly along Yonkers avenue to Midland avenue; thence easterly along the middle line of Midland avenue to the middle line of the Bronx river; thence southerly along said middle line of the Bronx river to the southerly line of the city; thence westerly along said southerly line to the southeasterly corner of the first ward; thence northerly along the boundary lines of the first ward to a point (in Getty square), where the middle line of South Broadway intersects the middle line of Main street; thence easterly along the middle line of Main street to the point where it intersects the middle line of Nepperhan avenue; thence southerly along the middle line of Nepperhan avenue to the place of beginning.

Third ward.—Beginning at the point formed by the intersection of the westerly line of the city and the northerly boundary line of the fifth ward and running thence northerly along the westerly line of the city to the northerly line of the city; thence easterly along the northerly line of the city to the middle of the Nepperhan river; thence southerly along the middle line of the Nepperhan river to a point therein where it intersects the middle line of Ashburton avenue; thence westerly along the middle line of Ashburton avenue to a point where it intersects the middle line of North Broadway; thence southerly along the middle line of North Broadway to a point in the middle line of Dock street; thence westerly along the middle line of Dock street to a point in the middle line of Warburton avenue; thence northerly along the middle line of Warburton avenue to a point where it intersects the middle line of Ashburton avenue; thence westerly along the middle line of Ashburton avenue to the point or place of beginning.

Fourth ward.—Southerly by the second ward; westerly by the third ward; northerly by the northerly line of the city, and easterly by the middle line of the Bronx river.

Fifth ward. Beginning at a point where the middle line of Nepperhan avenue intersects the middle line of Ashburton avenue, and running thence southerly along the middle line of Nepperhan

avenue to a point where the middle line of Nepperhan avenue intersects the middle line of Main street; thence westerly along the middle line of Main street to the westerly line of the city of Yonkers; thence northerly along the westerly line of the city of Yonkers to a point at the intersection of the extension westerly of the middle line of Ashburton avenue as it runs from Woodworth avenue to the Hudson river with the westerly line of the city of Yonkers, and running thence easterly along said extended line and middle line of Ashburton avenue; to its intersection with the middle line of Warburton avenue; thence southerly along the middle line of Warburton avenue to a point where it intersects the middle line of Dock street; thence easterly along the middle line of Dock street to a point where it intersects the middle line of North Broadway; thence northerly along the middle line of North Broadway to a point where it intersects the middle line of Ashburton avenue; thence easterly along the middle line of Ashburton avenue to the point or place of beginning.

§ 3. The common council shall have power, by a two-thirds vote of its members, at any time to change the boundaries of the several wards of the city, but not to increase the number of wards.

§ 4. The said corporation shall have power to sue and be sued, and to make and use a common seal, and to alter it at pleasure. The city of Yonkers shall be the successor of the village of Yonkers, and shall succeed to all the rights and liabilities of said village.

TITLE II.

Of the Officers of the City, their Election, Appointment and Terms of Office.

Section 1. The elective officers of the city shall be a mayor, a city judge and four justices of the peace who shall be elected by the electors of the city, and a supervisor for each ward, and two aldermen for each ward who shall be residents of, and elected by the electors of their respective wards.

§ 2. All general laws applicable to inspectors of election, election districts, and elections shall apply to the inspectors of election, election districts, and elections under this act, except as in this act otherwise provided.

§ 3. The annual election for elective officers for the city shall be held on the last Tuesday in March (or on the day on which is held the election for town officers in the several towns in Westchester county).

§ 4. The common council shall appoint the places of holding all elections, and shall give notice of the time and places of holding the same, and of the city officers to be chosen thereat,

by publishing the same in the official city newspapers once a week for two successive weeks, and by posting written or printed notices thereof in at least three public places in each ward; but the omission to give such notice will not invalidate any election.

§ 5. Special elections must be held to elect city officers or to fill vacancy in office:

1. Where at any election authorized by this act an officer shall not be chosen by reason of two or more persons receiving an equal number of votes for the same office.

2. When a vacancy shall occur in an elective city office, except of justice of the peace, more than three months before an annual city election.

3. When a vacancy shall occur in an elective city office, except justice of the peace, within ten days immediately preceding an annual city election, unless the vacant term expires on the fifteenth day of April next thereafter.

4. Special elections shall be ordered by the common council within ten days after the failure to elect or the vacancy shall occur, and shall be held within ten days after such order. Notice thereof shall be published at least five days previous thereto. At the time of ordering any special election, the common council shall appoint a day for registration of voters, and publish notice thereof with the notice of such special election. The inspectors of election shall prepare and use a register of voters for such special election in the same manner as required by law for an annual city election, except that they shall prepare and complete such register and the necessary copies thereof, upon the day for registration appointed by the common council.

§ 6. The statement of the votes cast at each election held under this act, to be made by the inspectors of election, shall be by them delivered immediately upon the completion of the canvass to the city clerk, who shall deliver the same to the common council at its next meeting, which shall be held on the day next after such election. The common council must, upon such statements, determine and declare what persons have been elected to the respective offices. The persons having the greatest number of votes for the respective offices shall be declared elected, and the common council shall make and subscribe certificates thereof in duplicate, one of which shall be filed with the city clerk, and the other with the clerk of the county of Westchester. The city clerk shall, within five days thereafter, serve upon each person elected, a notice of his election.

§ 7. The term of office of each elective officer except justices of the peace, shall commence on the fifteenth day of April next after his election. The term of office of justice of the peace shall commence on the first day of January next after his

election. The term of office of the mayor, the supervisors and the aldermen shall be two years; of the city judge and the justices of the peace four years.

§ 8. The appointive officers of the city shall be a city clerk, a city attorney, a receiver of taxes, a commissioner of public works, five assessors, five commissioners of public health, a city treasurer, a commissioner of charities, an inspector of buildings and four fire commissioners, one or more pound-keepers, two constables and three inspectors of election for each election district; all of whom shall be nominated and with the consent of the common council appointed by the mayor. No person shall be appointed to the office of assessor who is not an owner of real estate in the city; and no two assessors shall reside in the same ward at the time of their appointment or during their term of office. The salary of each assessor shall be fixed by the common council and shall not exceed one thousand dollars per annum.

§ 9. The term of office of each of the appointive officers shall commence on the first day of May, except that of assessors, which shall commence on the first day of November. The term of office of the assessors shall be five years; of the commissioners of public health four years, and of all other appointive officers two years, unless in this act otherwise provided.

§ 10. Every person elected or appointed to any office under this act, before entering upon the same, shall take the oath prescribed in article twelve of the constitution of this state, and file the same with the city clerk. The mayor, city judge, justices of the peace, supervisors and city clerk shall each also file an oath of office with the clerk of Westchester county. Every person so elected or appointed who neglects, for fifteen days after his election or appointment, to give the bond or security required by law, or by the common council under this act, or to take and file said oath of office, shall be deemed to have declined the office, and it shall be vacant. An office shall also become vacant whenever the incumbent shall have been removed from office, or shall have removed from the city or died in office, or when a person shall have died after his election or appointment, and before his term of office has commenced.

§ 11. A vacancy in an elective office, except of justice of the peace, shall be filled by election only, and for the remainder of the unexpired term, except that a vacancy in the office of city judge shall be filled for a term of four years from the then last preceding fifteenth day of April. Vacancies in elective officers occurring more than ten days and not more than three months before an annual city election shall be filled thereat. Vacancies in appointive offices shall be filled for the unexpired term by the mayor, with the consent of the common council.

§ 12. Every officer shall hold his office until his successor shall have been elected or appointed, and shall have qualified, unless his office has become vacant, as provided in this act.

§ 13. The resignation of an officer must be made to the common council in writing.

§ 14. The mayor may be removed from office by the governor, in the same manner as sheriffs, except that the governor may direct the inquiry provided by law, to be conducted by the attorney-general; and after charges have been received by the governor, he may, pending the investigation, suspend the mayor, not exceeding thirty days. Justices of the peace may be removed from office in the same manner as justices of the peace of towns. Any supervisor, any alderman, or any person appointed to public office by the mayor and common council, may be removed from office by the common council for incapacity, official malfeasance or non-feasance, or other lawful cause, by a two-thirds vote of its members, after having given him notice and opportunity to be heard upon the charges preferred. An alderman under charges shall not be deemed a member of the common council in any action taken therein.

§ 15. The present officers of the city shall hold their respective offices for the terms for which they were elected or appointed, and until their successors shall have been elected or appointed, and shall have qualified, except the health officer, the commissioners of public health and the commissioner of public works.

TITLE III.

Powers and Duties of Officers —Of the Mayor.

Section 1. It shall be the duty of the mayor, and he shall have power to exercise a constant supervision over the conduct of all city officers; to examine their books, accounts and records; to suspend any officer until restored by the common council, and report all he shall do in the premises to the common council; to apprehend and arrest any person who shall be guilty of any crime or of the violation of any law of this state or ordinance of the city; to cause the laws of the state and ordinances of the city to be faithfully executed; to receive complaints and institute, or cause to be instituted, prosecutions for their violation; and to cause legal proceedings to be taken and prosecuted to collect moneys due the city. He shall maintain peace and good order in the city; suppress riots and disperse tumultuous assemblies; and for these purposes he shall have the power given by law to sheriffs in case of resistance to the execution of process. He shall have power to cause the accounts of city officers to be examined, and to employ an accountant therefor. He shall have power to employ a secretary.

§ 2. No act of the common council shall be of force until approved by the mayor, unless he shall fail to approve, or veto the same, within ten days after its passage. The mayor shall have power to veto any act of the common council, or, if any such act contains several items of appropriation of money, he may veto one or more of such items, while approving the other parts thereof; and in such case he shall append thereto, at the time of signing it, a statement of the items to which he objects, and the appropriations so objected to shall not take effect except as hereinafter provided; and it is his duty to veto any such act or item of appropriation when, in his judgment, it is a violation of law, or appropriates money, or involves expenditures improvidently, or is improper. Such veto shall be filed, with his reasons therefor, in writing, with the city clerk, within the said ten days, and shall be presented to the common council, and entered upon the minutes of its next meeting. If at such meeting, or within thirty days thereafter, two-thirds of all the members elected readopt such act or item of appropriation so vetoed, it shall be valid and effectual notwithstanding such veto.

§ 3. The mayor shall, from time to time, recommend to the common council such measures as he shall deem expedient; and also submit annually a report of the financial transactions of the city for the past fiscal year. Such report shall be submitted to the common council during the month of March of each year, and printed and circulated under its direction. The fiscal year shall commence on the first day of March.

Of the Aldermen.

§ 4. It shall be the duty of every alderman to attend all meetings of the common council; to act upon committees when appointed thereon; to arrest or cause to be arrested all persons violating the laws of the state or ordinances of the city; to report to the mayor all officers who are guilty of any official misconduct or neglect of duty; and to aid in maintaining peace and good order. The aldermen shall be fence viewers in their respective wards, and shall possess the power and authority in respect to division fences or walls given by law to town fence viewers with respect to division fences.

§ 5. The mayor or any alderman, upon complaint being made to him under oath, may issue a warrant to any police officer to arrest any person charged with the violation within the city of any law of the state or ordinance of the city, and take him for examination or trial before the mayor, city judge or acting city judge. Such warrant may be executed at any place within the state. The city judge, or acting city judge, upon such process being returnable to him, or the prisoner arrested by virtue thereof being brought

before him, shall acquire jurisdiction, and proceed with the case to the same extent and in the same manner as if such process had been originally issued by him. Whenever any person shall be arrested by the mayor for any offense, or on process originally returnable before himself, he may, by an order in writing, transfer the case to the city judge, who shall thereupon have jurisdiction, and proceed in the same manner and to the same extent as if such person had been arrested on process originally issued by him; or the mayor may proceed to examine any such person, and commit him for trial or discharge him according to law.

Of the City Clerk.

§ 6. The city clerk shall be the clerk of the common council, and keep a record of its proceedings. He shall accurately keep proper books of city accounts. He shall have the custody of the corporate seal, and of all papers required by any provisions of law, or by the common council, to be filed in his office, or kept by him. He shall sign all licenses and keep record thereof, be clerk of all commissioners appointed under title seven, perform all the duties of clerks of towns not inconsistent with this act, and shall have power to take affidavits relating to the city. He shall permit the records and papers on file in his office to be seen and examined by those interested. In case of sickness, absence, or disability of the city clerk to act, the common council may appoint a city clerk pro tempore, who, during such sickness, absence or disability shall perform the same duties and possess the same powers as the city clerk.

Of the City Court.

§ 7. The city judge shall be a person of the degree of counselor-at-law. He shall have jurisdiction, exclusive of any justice of the peace, within the corporate limits of the city, to issue all criminal process, and all process other than in civil actions and proceedings, including process in bastardy cases, which a single justice or two justices of the peace in towns are empowered to issue; and in such cases to hear and determine all matters, make such orders and do such acts alone as by law may be done by two justices of the peace sitting jointly; to hold courts of special sessions, with the powers and jurisdiction of such courts; and to hear and determine charges for every misdemeanor committed within the city. In criminal proceedings any judgment, order, or conviction made by him may be reviewed by appeal or by certiorari, in like cases, in like manner, and with like effect as if the proceedings were before a justice of the peace. He shall have power to let to bail persons charged before him with misdemeanor, or with any felony when the imprisonment in the state

prison on conviction can not exceed five years; and to take proofs and acknowledgments of deeds and other instruments.

§ 8. The mayor shall designate in writing, to be filed with the city clerk, one of the justices of the peace of the city, who shall, only in case of sickness, absence from the city, disability or inability of the city judge to act, exercise in the place and stead of the city judge criminal jurisdiction such as is conferred by law upon justices of the peace in towns during the time such sickness, absence, disability or inability shall continue. Such designation may be for a time limited or without limit. The mayor may revoke such designation, and redesignate at will.

§ 9. In case any criminal warrant issued by the city judge shall be returned during his absence from the city, sickness, disability or inability to act, any further proceedings on such warrant may be had before the justice of the peace so designated, and said justice of the peace having once entered on the trial of an action or proceeding under this section, and not otherwise, may proceed to determine it. The justice of the peace so designated shall be entitled to receive such sum as the common council shall determine, not exceeding the sum of five dollars for every day actually spent in the discharge of the duties provided for in this section, to be audited, allowed and paid by the common council, upon presentation by such justice of the peace of a verified bill of items for each day's services. Claims for such services shall be presented to the common council monthly. Such justice of the peace in signing process, shall add to his official title "acting as city judge."

§ 10. It shall be the duty of the city judge to attend at his office at such hours as the common council shall designate. All costs and fines imposed and collected by him, and all moneys received by the city judge, or by the acting city judge, shall be paid into the city treasury. The city judge shall keep an account of all official business done by him, and by the justice of the peace acting as city judge, and all costs and fines therein imposed, and payments thereof made.

§ 11. He shall annually at the presentation of claims against the county of Westchester, make out and verify his account of all official business done by him or by the justice of the peace acting as city judge, which, if performed by a justice of the peace would be a county charge, and present the same to the board of supervisors of said county, who shall audit and allow it to the city of Yonkers, and levy and collect the same as other county charges, and when collected cause the same to be paid into the city treasury. It shall be the duty of the police officers in the city to serve all process issued by the city judge or acting city judge. The salary of the city judge shall be at such rate

not exceeding four thousand five hundred dollars per year, as the common council may determine. If the city judge shall fail to perform the duties of his office from any cause, except from actual disability from sickness, more than thirty days in any year of his term, his salary during such period in excess of said thirty days shall not be paid to him.

§ 12. When any person charged with being a disorderly person, under the provisions of this act, shall be arrested and brought before the city judge, he shall proceed forthwith to hear, try, and determine the complaint or charge on which said person was arrested; or he may, on cause shown, adjourn the trial for not exceeding five days, and in the meantime shall commit the accused to the county jail, or to any other secure place, until such day, or suffer him to go at large on his executing a bond, with sureties approved by the city judge, conditioned that he will appear on such adjourned day; and upon the conviction of any such offender the city judge shall have power to punish, by fine not exceeding fifty dollars, or by imprisonment in the county jail of Westchester county for not exceeding six months, or such penitentiary as shall be provided by the board of supervisors of Westchester county by contract, for the reception of criminals sentenced for not less than sixty days, or by both such fine and imprisonment.

§ 13. A docket of all business transacted by the court of special sessions, and by the city judge as such, shall be kept by the city judge or by the clerk of his court, in which minutes of said business and proceedings shall be fully entered. Such docket, and all books and papers kept by the city judge shall be and remain the property of the city. Such docket, or any part or transcript thereof, may be read in evidence in the same manner as a docket or a transcript of a docket of a justice of the peace.

§ 14. All books and papers kept by the city judge shall, at all times, be subject to examination by the mayor, city attorney, or any alderman; and it shall be the duty of the city judge to produce such books and papers whenever and wherever the common council shall direct.

Of the Justices of the Peace.

§ 15. The justices of the peace shall have all the powers and jurisdiction, discharge the duties, and be entitled to the fees and compensation of justices of the peace of the several towns in this state; but no justice of the peace shall have any criminal jurisdiction, except while acting as city judge. The city clerk's office shall be substituted in the place of the town clerk's office, in all proceedings and matters connected with justices of the peace.

Of the Supervisors.

§ 16. Supervisors shall be members of the board of supervisors of the county of Westchester. They shall have the powers and discharge for the city the duties of supervisors of towns, except as otherwise provided in this act. They shall receive the compensation allowed by law in like manner as supervisors of towns in said county.

Of the Constables.

§ 17. The constables shall have the same powers and perform the same duties as constables of towns, and shall be entitled to like fees therefor. Before entering upon the duties of his office, each constable shall execute, with two sureties, to be approved by the mayor, an instrument in writing, and file the same with the city clerk, by which said constable and his sureties shall jointly and severally agree to pay, to each and every person who may be entitled thereto, all such sums of money as said constable may become liable to pay on account of any warrant, execution, or other precept which shall be delivered to him for service or collection, and that he will faithfully perform the duties of his office. All actions on any such instrument shall be prosecuted within one year from expiration of the constable's term of office; and an action may be maintained thereon by and in the name of any person entitled to money collected by virtue of such warrant, execution or precept, or who may have sustained damages by default or misconduct of such constable. A copy of such instrument, certified by the city clerk, under the corporate seal of the city, shall be presumptive evidence in all courts of this state of the execution of the same by the constable and his sureties.

Of the City Treasury.

§ 18. The city treasurer shall receive and safely keep all moneys belonging to the city. He shall, once in each month, and as often as he may deem proper, examine the books and accounts of the receiver of taxes. He shall also keep an accurate account of all receipts and payments, so as to exhibit the amount paid under each particular class of purposes for which money shall be raised, and make returns thereof in such manner and at such times as the common council shall direct. The city treasurer shall receive a salary to be fixed by the common council not to exceed two thousand dollars per annum. The city treasurer shall, at the first stated meeting in March in each year, and such other times as the common council shall require, present to said council, to be filed with the city clerk, a full account of all his receipts and disbursements since the date of the last annual report, and a statement of the financial condition of the treasury.

Before the city treasurer enters upon the duties of his office, and within ten days after being notified of the amount at which the common council shall have fixed the penalty of his bond, he shall execute to the city of Yonkers a bond, with two or more sureties, to be approved by the common council, in such penalty as said common council shall have directed, conditioned for the faithful performance of his duties as city treasurer, and that he will account for and pay over all moneys received and collected by him at any time to the proper officers appointed to receive the same, which bond shall be duly acknowledged before some officer authorized to take acknowledgments, and the sureties therein shall justify in at least double the amount thereof. If the common council shall approve the form and execution of said bond, and the sureties thereto, it shall cause such approval to be indorsed thereon, and file the same with the city clerk.

§ 19. No moneys shall be paid or drawn out of the city treasury unless authorized by the common council, and upon warrants drawn and signed by the city clerk, and countersigned by the mayor, except for the payment of the principal and interest of the bonded debt of the city, which shall be paid as the same shall become due; and the bonds and coupons, and the receipts for interest on bonds having no coupons, so paid, shall be vouchers therefor.

Of the Assessors.

§ 20. The assessors shall possess the powers and perform the duties of assessors of towns of this state in reference to the assessment of property within the city, except as otherwise herein provided. They shall assess all real property liable to taxation lying within the corporate limits of the city; and no real property lying within any adjoining town, village or city shall be assessed by them, nor shall any real property lying within the city of Yonkers be assessed by the assessors of any adjoining town, village or city. They shall make a separate assessment-roll for each ward. On completing the assessment-rolls, which shall be done on or before the first day of September of each year, they shall deposit the same in their office. They shall then publish in the official city newspapers, once in each week, for two successive weeks, a notice that the assessment-rolls are completed and deposited in their office, where they may be examined by any person for twenty days next after the first publication of such notice; and that the assessors will attend during the last five of said twenty days, exclusive of Sunday, at their office, between the hours of ten o'clock in the morning and nine o'clock in the evening, to review their assessments. Such notice shall also be posted by hand-bills.

The assessors shall have power, before and on such review, to substitute the words "unknown owner" for the name of the owner of any property assessed by them when they shall not have been able to ascertain the name of the owner. For the valid assessment of any land it shall be sufficient to give the name of the owner, when known, the lot number, if any, on any designated map, the size thereof, as nearly as can be ascertained, and the assessed value. An error in the name of the owner shall not invalidate the assessment. During the said twenty days they shall review and correct said rolls, and within thirty days thereafter verify and deliver the same to the city clerk to be filed in his office. During the time the assessors are reviewing and correcting said rolls they shall have the power to insert therein any property liable to taxation, and the assessment therefor, which may have been omitted therefrom, after first giving to the owner thereof personal notice in writing, of not less than five days, to attend at a time and place to be therein stated, and show cause why any specified corrections shall not be made. The assessors shall also assess the expenses of all improvements named in section fifteen of title seven of this act. The common council shall provide an office, at which one or more of the assessors, as determined by the common council shall attend during such time as the common council shall prescribe. If the common council shall require the attendance of less than the whole number of assessors, the assessors shall designate which of their number shall attend. For violation of their duties such assessors shall forfeit to the city a penalty of two hundred and fifty dollars, to be recovered in the name of the city.

Of the Receiver of Taxes.

§ 21. The receiver of taxes within fifteen days after his appointment, shall make and execute as such, a bond to the city of Yonkers, with sufficient sureties, who shall be freeholders within and residents of the city in a penal sum to be fixed by the common council, conditioned for the faithful discharge of his duties, and that he will account for and pay over all moneys received by him as such receiver, which bond must be approved by the common council, and filed with the city clerk, before he enters upon the duties of his office. Such bond shall be a lien upon the real estate in the city of the said receiver and his respective sureties, until canceled and discharged. The salary of the receiver of taxes shall be at such rate as the common council shall determine, not to exceed four thousand dollars per year.

§ 22. The common council shall provide an office for the receiver of taxes, at which he shall receive payment of taxes and assess-

ments. Such office shall be kept open daily, Sundays and legal holidays alone excepted, from nine o'clock in the morning until four o'clock in the afternoon, and for one month after receipt by him of any warrant for collection of taxes, from eight o'clock in the morning until eight o'clock in the evening.

§ 23. The receiver of taxes shall have power to appoint as deputy receiver of taxes, a person approved in writing by the sureties of the receiver of taxes. He shall possess the powers of the receiver of taxes. The receiver of taxes and his bondsmen shall be responsible to the city for the acts of said deputy. The appointment, the approval of said sureties thereto, and the oath of office of said deputy, shall be filed with the city clerk. The compensation of such deputy receiver shall be paid by the receiver of taxes, who may remove him at pleasure.

§ 24. The receiver of taxes, upon receiving any warrant for the collection of taxes, shall cause to be published for four successive weeks, in the official city newspapers, a notice that he has received such warrant. Such notice shall designate his office hours, the place where he will attend to receive taxes, and the rate of interest, and the percentage to be paid thereon.

§ 25. The receiver of taxes shall receive all taxes and assessments for the collection of which warrants shall be issued to him. All provisions of law relating to collectors of towns, not inconsistent with this act, shall apply to the receiver of taxes, except that he is not required to call personally upon or at the place of residence of any person to demand payment of a tax or assessment, and that he shall not levy taxes or assessments by distress and sale. The receiver of taxes shall deposit daily in the city treasury all moneys received by him by virtue of any warrant, and take receipts in duplicate therefor.

§ 26. The said receiver must enter daily, in suitable books to be kept for the purpose, the sums received by him for taxes, assessments, interest, percentage and the expenses of publication, respectively, in separate columns, opposite the name of the person from whom received, and each day's receipts must be kept separately. The receiver must enter on the tax-rolls and assessment-lists, as taxes and assessments are paid, in a column opposite the name of the person or the property assessed, the word "paid," and the date of payment.

§ 27. If the receiver shall not pay all moneys received by him, as directed to be paid, or shall neglect or refuse to exhibit his books and accounts to the mayor, or any person designated by him, or to do any act lawfully enjoined upon him, the mayor shall forthwith suspend the said receiver from office, and call a special meeting of the common council to be held within three days thereafter, at which meeting he shall report such suspension and his reasons

therefor. Upon such suspension the mayor shall forthwith take possession of the office of said receiver, and of all his warrants, books and papers, and shall appoint a person to perform the duties of his office pro tempore. At the time of making such appointment the mayor shall take from the person so appointed a bond, in the same form and with like penalty and sureties as is required from the receiver of taxes, which bond shall be approved by him, and filed with the city clerk, and the provisions of this act as to the duties, powers and liabilities of the receiver of taxes shall apply to any person so appointed, and to his sureties.

§ 28. Within fifteen days after the time specified in any warrant for its return, or if the time of its return be extended, then within fifteen days from the time to which its return shall have been extended, the receiver of taxes shall make and deliver to the common council a return of all taxes or assessments mentioned in the tax-roll or assessment-list remaining unpaid at the time of making such return; and upon making oath that the sums mentioned in said return remain unpaid, he shall be credited by the common council with the amount thereof. Two per centum shall be added to the several sums of unpaid taxes and assessments so returned, which shall become a part of and be collected with such unpaid taxes and assessments, and shall go to the credit of the city. The receiver of taxes may receive payment of taxes and assessments under such warrant until the delivery of said return to the common council.

§ 29. The receiver of taxes shall, on the first day of October in every year, present to the common council a detailed statement of his accounts showing separately all the moneys received by him on each warrant during the preceding year, for what purposes, and the amount remaining unpaid under each warrant, which account shall be verified by his oath, and accompanied with vouchers for all moneys paid by him. No person shall hold more than one office at the same time under this act.

Of Officers Generally.

§ 30. The common council may prescribe the powers and duties, and fix the compensation or fees, of all officers elected or appointed under this act, except as is herein otherwise provided; but no salary shall be changed during the term of office of any such officer. No salary or compensation shall be paid to the mayor or any alderman for their services as such.

§ 31. No officer shall receive any penalty, fine or claim or other money for or due the city, except the city judge, city clerk, or an officer having power by law to issue an execution to collect the same, or authorized so to do by the common council. Such moneys, and all fees, perquisites and emoluments of salaried offi-

cers, and all other moneys received by city officers as such and by the board of health, and the commissioners of excise must be paid into the city treasury on or before the last day of the month in which received. Any person neglecting to pay any moneys into the city treasury, as in this section required, or receiving any money forbidden by this section to be received by him, shall be guilty of a misdemeanor.

§ 32. Every officer must report to the common council in writing, on the first day of every month, all moneys, fees, fines or penalties received by him, for what received and how disposed of. Every officer authorized to receive any moneys, fees, fines or penalties must, before entering upon the discharge of the duties of his office, make, execute and file with the city clerk a bond to the city with sureties, in such penalty as shall be fixed by the common council. Such bonds shall be conditioned for the faithful discharge of the duties of his office, and must be approved by the mayor, unless otherwise provided in this act.

§ 33. The city attorney shall have charge and conduct of all the law business of the city of Yonkers, its officers' departments and boards of commissioners, with the exception of the board of water commissioners, unless the common council shall expressly provide otherwise in any particular case.

§ 34. The inspector of buildings shall be a practical builder or architect, and shall perform such duties in relation to buildings within the city of Yonkers, as shall, from time to time, be prescribed by the common council.

TITLE IV.

Of the Assessment, Levying and Collection of Taxes.

Section 1. The city clerk, under the direction of the common council, shall correct all manifest clerical errors in the description or valuation of property in the assessment-rolls. The common council shall thereupon confirm said rolls, and the city clerk shall make a correct copy thereof, certify the same, and deliver it to one of the supervisors, to be by him presented to the board of supervisors, at their next meeting.

§ 2. The board of supervisors of Westchester county, at their annual meeting, after receiving a certified copy of the said assessment-rolls, shall equalize the assessment-rolls of the several towns of the said county, as is provided by law, and by correct principles ascertain, and, by resolution, declare and direct the amount of tax to be levied in the city for county, state and general purposes, and a copy of such resolution, certified by the chairman of said board of supervisors, and attested by the common seal of said county, shall be delivered to one of the supervisors of the city

of Yonkers, whose duty it is to file the same with the city clerk, who shall present the same to the common council; and the common council shall thereupon levy the amount of the said tax as herein provided, and cause the said amount to be paid to the county treasurer, or to be deposited in such bank in the city as he may designate, on the twentieth day of March in each year, or as soon thereafter as may be.

§ 3. The common council is hereby empowered to levy and raise money by tax, to be assessed upon the property, real and personal, liable to taxation within the city, and upon the stockholders of banks and banking associations organized pursuant to law, and located within the city, to be collected from the several owners of any real and personal property, and from such banks or banking associations, not to exceed in any one year as follows:

1. The sums directed by the board of supervisors of Westchester county to be levied within said city, for state, county and other general purposes.

2. For police, the sum authorized by law.

3. For principal and interest on the indebtedness of the city, the sum actually due within the ensuing year.

4. To defray the ordinary and contingent expenses of the city, such sum not to exceed the sum of one hundred thousand dollars as shall be fixed in the following manner: After the passage of this act the commissioner of public works, the city judge, the city clerk, the receiver of taxes, the board of assessors, the board of health, the board of fire commissioners, the plumbing board and the board of excise shall each prepare and present to the common council on or before the first day of December of each year an itemized statement or estimate of the necessary expenses of his or its office, department or board for the next ensuing fiscal year. During the month of December of each year after the passage of this act, the common council shall review and inquire into each of the statements or estimates received from the several officers, boards and departments above cited, and shall review, approve or reduce each of said estimates, and shall fix the amount which public interest requires shall be expended by each of said officers, boards or departments, and shall estimate, determine and fix all other items of expense, which, in the judgment of the common council, public interests require should be expended during the next ensuing year, and shall prepare an itemized statement or list of such proposed contingent expenses. After each of said amounts shall be so fixed and determined by the common council, and on or before the fifth day of January next ensuing, the mayor shall approve the same or reduce or reject any

item thereof upon filing with the city clerk a written statement of his reasons for such rejection or reduction. After the mayor has filed such statement, reducing or rejecting any item, the said item, if rejected, shall not be included in the sum total of the contingent expenses of the city to be raised by tax, or if reduced, the amount to which said item may be reduced only shall be included in the sum total of the contingent expenses to be raised by tax, unless the common council, by a two-thirds vote of all the members in office, taken at a meeting of said common council, held on or before the fifteenth day of January next ensuing, shall overrule such rejection or reduction, and when the common council by such two-thirds vote shall overrule the rejection or reduction of any item upon such list of proposed contingent expenses, the said items shall be restored in the same manner as if no action thereon had been taken by the mayor. If no item of said list of proposed contingent expenses shall be rejected or reduced by the mayor in the manner above prescribed, then the sum total of said list of proposed contingent expenses shall be the amount which the common council is authorized to raise by tax to defray the ordinary and contingent expenses of the city; and if any items shall be rejected or reduced by the mayor and shall not thereafter be restored by the two-thirds vote of the common council in the manner above prescribed, then the sum total of the proposed list of contingent expenses, less the sum total of the items rejected and the reductions made shall be the total amount which the common council is authorized to raise by tax to defray the ordinary and contingent expenses of the city in any one year.

§ 4. Whenever any tax shall have been levied by the common council, it shall cause to be apportioned and extended the gross sum so levied, opposite the several valuations of real and personal property appearing in the assessment-rolls, in conformity, as near as practicable, with the provisions of law in respect to the apportionment and extending of taxes by boards of supervisors; and when such apportionment shall be completed it shall confirm the same; and the day, hour and minute of such confirmation shall be entered by the city clerk in the minutes of the common council, and from the moment of such confirmation the taxes so embraced in such roll, as apportioned, shall be the first lien upon the property, respectively, against which the same is therein levied. The city clerk shall thereupon deliver the rolls to the receiver of taxes, with a warrant annexed thereto, signed by the mayor, or by a majority of the members of the common council, directed to such receiver, commanding him to collect the amount of said tax in the same manner as taxes are collected upon warrants issued by boards of supervisors to collectors of towns, except as in this act

otherwise provided, and to make return thereof, and pay over the money, as therein directed, together with all interest and percentage collected by him. Such warrant shall be returned at such time as the common council shall direct, which time may be extended from time to time by resolution of the common council.

§ 5. No interest or percentage shall be charged upon any tax paid within one month from the first publication of the notice provided in section twenty-four of title three of this act. To all taxes paid thereafter shall be added interest at the rate of seven per centum per annum from the first publication of said notice, which shall become a part of and be collected with said taxes.

§ 6. The taxes on any real estate occupied by a person or corporation other than the owner, may be paid by the occupant, and he has the right to collect the amount thereof, if paid by him, from, or set off the amount thereof against, the claim of the owner for rent.

§ 7. Every inhabitant of the city having in his possession or under his control any taxable personal property, as trustee, guardian, executor or administrator, shall be taxable to the amount thereof, and may charge the tax when paid, against the estate of which he is trustee, guardian, executor or administrator.

§ 8. The common council shall have power to remit the tax on any property deemed by it to have been erroneously assessed and to levy and assess the amount so remitted with the taxes of the following year.

§ 9. Any tax levied upon shares of the capital stock of any bank or banking association shall be and remain a lien thereon until paid. Whenever the owner of any such shares of stock upon which a tax is or shall be levied shall omit to pay such tax, such lien may be enforced, and said tax with the interest and percentages thereon collected from the proceeds of the sale of the shares of the stock on which the tax was levied, by action, by the city, in any court having jurisdiction; and the judgment in such action may direct the sale of such shares for payment of such tax, interest, percentage, and costs, and may direct the payment of the same out of any dividends declared upon such shares of stock.

§ 10. Upon the application in writing of any person desiring to pay the tax or assessment on or to redeem from sale for an unpaid tax or assessment a part of any lot of land, or one or more lots of land, upon which, with other lots of land, a tax or assessment has been levied, the assessors shall apportion in writing the tax or assessment on such lot or lots of land, or the amount for which the same shall have been sold, between the land which the applicant desires to pay the tax or assessment

upon, or to redeem, and the remaining part thereof, and like proceedings may be had thereafter as if the land had been separately assessed, and a separate amount of tax or assessment levied upon each. Such apportionment shall be filed with the city clerk. However, no apportionment shall be made of any taxes or assessments upon any lot or plot of land unless a map of the entire lot or plot and the portion or portions thereof for which the apportionment is asked shall have been filed with the city clerk, containing thereon the written approval of the commissioner of public works, for which approval the sum of two dollars shall be paid by the applicant to the department of public works.

§ 11. The common council may, from time to time, issue bonds of the city, to be known as "tax relief bonds," provided that no such bonds shall be issued in excess of the amount of taxes remaining unpaid for the collection of which warrants shall have been issued. Such bonds shall be in such denominations, bear such interest not exceeding the legal rate, and mature at such times not exceeding three years from their date, as the common council shall prescribe, and shall be signed by the mayor and city clerk, and sealed with the city seal. The common council shall convert such bonds into money, at not less than their par value, or obtain temporary loans upon the same. When the amount of such bonds outstanding shall be equal to the amount of taxes remaining unpaid, the common council shall cause all moneys received for such unpaid taxes, and interest on the same, to be held exclusively for the payment of such bonds and the interest thereon, except as in this act otherwise provided.

TITLE V.

Of the Sale of Lands for Non-payment of Taxes.

Section 1. Whenever a return of unpaid taxes shall be made to the common council, such taxes, with interest, percentage and expenses of collection, shall be collected as hereinafter provided.

§ 2. The common council shall reject all taxes returned unpaid, on lands imperfectly described, and make and file with the city clerk a transcript of such rejected taxes. The common council shall charge each piece of land for, or on which, it shall deem any rejected tax was levied, with the amount of the tax and percentage returned, adding seven per centum thereto, and levy the same thereon, with and in addition to the tax of the following year, but in a separate column of the assessment-roll. If any land is so imperfectly described that it can not with certainty be located, the common council shall cause the tax returned thereon to be levied the following year upon the taxable property of the city.

The return of unpaid taxes must then be delivered to the receiver of taxes, with the original warrant, under which he must receive payment of such unpaid taxes, with the interest and percentage thereon until the day fixed for the sale of the lands therefor. He must write the word "paid," and the date of payment on such return, opposite each tax paid, and file the warrant, rolls, and return with the city clerk before the hour fixed for such sale.

§ 3. No lands shall be sold for an unpaid tax until at least two years after it shall have been levied. The common council within three years after any unpaid tax shall have been levied, shall take proceedings for the sale of the lands charged therewith as herein-after provided. It shall fix the time for the sale of lands for unpaid taxes, and cause a list of all the lots and parcels of land, the taxes on which have been returned unpaid, and have not been rejected or paid to the receiver of taxes, with a description of such lands, by giving the names of the streets on which such lots and parcels of land are situated, and their respective numbers thereon, according to the maps designated in the assessment-rolls, to be published in the official city newspapers once in each week for three weeks, successively, next preceding the day fixed for the sale of such lands, together with a notice that if said taxes be not paid to the receiver of taxes, with the interest, percentage and expenses of publication, on or before the day fixed for such sale, such lands will be sold at public auction at the time and place designated in said notice, for the shortest period of time for which any person may offer to take the same, in consideration of advancing the tax, with the percentage and interest thereon to the time of sale, and all expenses that have accrued thereon.

§ 4. If such tax be not so paid the lands so advertised shall be sold by the city clerk, who shall give the purchaser a certificate under the corporate seal of the city, specifying the land sold, the time for which sold, the sum paid thereon, and the time when the purchaser will be entitled to a lease thereof. Such sale may be adjourned from time to time not exceeding in all two months. The city clerk shall keep a record of every such sale in a book to be kept for that purpose.

§ 5. At any time within three years after the last day of such sale, any person may redeem the land so sold by paying to the city clerk, for the purchaser, the money paid by him at such sale, and any other tax or assessment on the same lands which the purchaser may have paid, with six per centum per annum, in addition thereto, and any reasonable expense incurred by him in endeavoring to ascertain or give notice to any mortgagee of such lands, provided that a statement of such taxes or assessments so paid, and such expenses made in items and verified by oath, shall have been filed with the city clerk. The receipt of the city clerk,

sealed with the corporate seal, stating such payment and showing what land is redeemed, shall be legal evidence of such redemption. The money so received shall be paid to the purchaser, his legal representatives or assigns on demand. The city clerk shall immediately notify the purchaser of its receipt by him. The common council may cause to be canceled and discharged of record any lease or certificate of sale of lands for any unpaid tax or assessment held by the city, upon payment being made to the city clerk of the amount paid by the city on the purchase of said lands at the tax or assessment sale, with six per centum per annum in addition thereto, and all expenses which have accrued thereon. Whenever the liens held by the city of Yonkers against any land shall exceed the assessed value of such land, the common council, by a two-thirds vote of all its members, may cause to be canceled and discharged of record any such liens so held by the city, upon payment being made to the city clerk of such sum, not less than the assessed valuation of said land, as the common council shall determine to be the value of the property sold.

§ 6. The common council shall cause to be published in the official city newspapers for six successive weeks previous to the expiration of such time for redemption, a notice that, unless the lands sold shall be redeemed within three years from the last day of such sale, they will be leased to the purchaser. If not so redeemed, the mayor and city clerk shall execute to the purchaser, his legal representative or assigns, a lease, under the corporate seal, of the lands so sold to him for the term for which the same were sold, and such lease shall be presumptive evidence that such tax was legally imposed, was not paid, the land was not redeemed, and of the regularity of the proceedings and sale.

§ 7. The owner of such lease may, by virtue thereof and of this act, obtain possession of the premises in the manner prescribed by law in relation to persons holding over when the premises have been sold under execution, and may lawfully hold and enjoy the lands mentioned therein against all other persons until the time for which the same are leased shall be fully ended, except as in this act otherwise provided.

§ 8. The city clerk shall receive one dollar for selling each lot and making the certificate of sale, which shall be a part of the expense of the sale, and the purchaser shall pay to the city attorney two dollars and fifty cents for preparing each lease.

§ 9. It shall be the duty of the city clerk, at any sale of lands for taxes, to purchase for the city every lot or parcel of land offered for sale for which no person shall bid, and certificates of such sale shall be made by the city clerk, as in other cases. Such lands may be redeemed as aforesaid. If not redeemed, and the common council shall so direct, a lease thereof may be made

and executed to the city, in like manner and with like effect, as in cases of sales to other purchasers.

§ 10. The interests of the city in any certificate mentioned in the last preceding section may be assigned, as the common council may direct, to any person who shall pay to the city clerk the amount of the purchase-money mentioned in the certificate, with interest thereon at the rate of six per centum per annum, and such reasonable expenses as may have been incurred in endeavoring to ascertain and notify the mortgagee; and the assignee of such certificate shall be entitled to the same rights and privileges as if he had been the original purchaser at the sale.

§ 11. No lease shall be made to any person of any lands sold for taxes until there shall be paid to the city clerk all sums which the city may have paid for the purchase of the same lands at any prior sale, for which it holds a certificate or lease, with the interest at the rate of seven per centum per annum from the date of such sales, respectively, and all expenses incurred thereon by the city.

§ 12. Any such lease held by the city may be assigned as the common council may direct, for a sum not less than the amount due upon said lands at the time of the sale, with the interest and expenses thereon.

§ 13. The common council may issue bonds of the city, to be known as "redemption bonds," to the amount of the purchase money of the several lots and parcels of land purchased for the city. Such bonds shall be issued from time to time, in such denomination, bear such interest, not exceeding the legal rate, and mature at such times, not exceeding three years from their date, as the common council shall determine. They shall be sold for not less than their par value, or temporary loans may be obtained upon the same, and the proceeds thereof shall be used exclusively for payment of said purchase money. All moneys received from the redemption of lands, or the assignment or sale of certificates of sale, or leases of lands purchased for the city, and any other revenue derived by the city from such lands, shall be held and applied exclusively for the payment of such redemption bonds. If the money so received shall not be sufficient to pay such redemption bonds, as they become due, the common council may issue additional redemption bonds equal to the amount of deficiency existing between the money so received and the amount of such bonds so maturing.

§ 14. No mortgagee, whose mortgage shall have been recorded before sale of any tax, shall be divested of his rights in any land sold for taxes, unless the purchaser or those claiming under him shall give to him six months' notice, in writing, of such sale. Such notice must be served personally, if the mortgagee be a

resident of the county of Westchester, or of a county adjoining, and if not such a resident, such notice must be served upon the owner of the land personally, if he be a resident of Westchester county or a county adjoining, and by depositing such notice in a post-office in the city, postage thereon paid, directed to the mortgagee at his place of residence as stated in the mortgage or assignment thereof. Within one month after the serving of such notice, the person serving or causing the same to be served must file in the office of the city clerk a copy of the notice served, with the affidavit of some person who shall be certified by the officer before whom the affidavit shall be taken to be a creditable person, proving the due service of the notice. The mortgagee may redeem such land at any time within six months after the service of such notice.

§ 15. If any sale of land for non-payment of taxes shall be adjudged invalid by any court of competent jurisdiction, the amount of the purchase money, with six per centum interest thereon per annum from the date of payment of the purchase money, shall be paid by the common council to the purchaser or his assigns, and the amount levied upon the taxable property of the city in the ensuing year. In case of neglect by any person or corporation to pay a tax imposed for personal property, the common council may apply to the city court of Yonkers, to the county court of Westchester county, or to the supreme court, by petition and notice of ten days, to enforce the payment of such tax. A copy of the petition and a notice shall be served personally upon the person or an officer of the corporation against whom such application may be made, and the court shall proceed to hear and determine the same in a summary manner, and without unnecessary delay; and if it shall appear that such application ought to be granted, judgment shall be rendered in favor of the city for the amount of such tax, with interest at the rate of eight per centum per annum from the date of the levy of the tax, with the costs and expenses of the proceedings, not exceeding fifty dollars, to be fixed by the court; and transcripts thereof may be filed and executions thereon issued and supplementary proceedings thereon had in the same manner as in other judgments.

TITLE VI.

Of the Common Council.

Section 1. The aldermen shall constitute the common council of the city. It must meet on the day next after each annual election. It must hold its annual meeting on the Tuesday next after the fifteenth day of April, and stated meetings at least once in each month. Special meetings may be called by the mayor or any

three aldermen by appointment in writing to be filed with the city clerk, and notice thereof shall be served as the common council shall by ordinance prescribe. The mayor, when present, shall preside at all such meetings. At its annual meeting, or as soon thereafter as practicable, the common council shall elect by ballot one of the aldermen as president of the common council, who shall preside at its meetings when the mayor is absent, and shall possess the powers, perform the duties of, and act as mayor during vacancy in the office of mayor, or while the mayor is absent from the city or is unable to act. A vacancy in the office of president of the common council shall be filled by the common council by ballot. In common council the president shall vote as alderman only.

§ 2. In common council each member shall have a vote. The mayor shall vote only in case of a tie.

§ 3. The meetings of the common council shall be public except when the public interest shall require secrecy.

§ 4. A majority of the common council shall be a quorum for the transaction of business, but no tax shall be levied or assessment confirmed or appointment consented to, except by a vote of a majority of all the members in office.

§ 5. The common council shall determine the rules of its own proceedings; be judge of the election and qualification of its members; have power to compel the attendance of absent members, to expel from its body and remove from office any alderman who may have been disorderly or have transgressed its rules, and to revoke any license given under this act.

§ 6. The common council shall have power:

1. To compel the performance of duty by city officers, and to punish for neglect thereof.

2. To require additional bonds from any officer when it may deem necessary, and to suspend him until it is given.

3. To prescribe the manner, except as otherwise provided in this act, in which all officers shall keep their accounts, vouchers, record books, and papers, and to cause the same to be examined from time to time.

4. To examine all accounts and claims against the city, and to allow such only as are just and legal.

5. To manage and control the finance of the city, but no bonds shall be sold except after advertising for proposals therefor and to the most favorable bidder. And no money shall be expended in any fiscal year in excess of the amount received.

6. To provide for the care, custody and preservation of the public property, records, and papers, to rent such property as shall be required for the public use, procure insurance against fire, and to provide for lighting and heating the public buildings.

7. To employ attorneys, or counsel for the prosecution or defense of any suit or proceeding by or against the city, or for the transaction of any business of the city requiring professional legal skill.

8. To designate, from time to time, by ballot, two newspapers, published in the city, as the official city newspapers, in which shall be published all matters required by law to be published. No ballot shall name more than one newspaper, and the two receiving the greatest number of votes shall be the newspapers designated, provided such papers are of opposite politics, and fairly represent the two principal political parties into which the people of the city are divided. If the publisher of either of such newspapers shall refuse to publish, for the fees allowed by law, any matter required to be published, or if the common council shall fail to designate such newspapers, any such matter, may, with like effect, be published in any newspaper in the city or by handbills posted in at least four public places in each ward.

9. To provide for the licensing of auctioneers, weighers and measurers, hackmen, cabmen, carriers, junkmen, porters, peddlers, teamsters, expressmen and drivers of vehicles for transporting passengers or merchandise, and to prohibit all persons from acting as such until licensed; to require horse cars, stages and omnibuses, trucks, carts and vehicles for conveying passengers and merchandise to be licensed and numbered; to require billiard tables, bowling alleys, pistol galleries, public halls, places of amusement and picnic groves to be licensed; to make such regulations concerning all persons or things so licensed as it shall deem proper; to fix the fee to be paid for such licenses; to limit the amount to be charged for the carrying of passengers or merchandise and the fee to be paid to auctioneers, weighers and measurers; and to compel licensed persons to wear badges.

10. To cause actions to be brought and prosecuted upon any contract or liability in which the city is interested, and for fines and penalties under this act or any act of the common council in pursuance thereof.

11. To limit the places and times of bathing in the river, streams or ponds within the city, to regulate the same and to prohibit such bathing at any other time or place.

12. To regulate and prescribe the times, places and manner of holding public auction sales, and of weighing and marketing hay, straw, wood, coal and other commodities; to prohibit such sales on the sidewalks or streets; to require the weight or measure of any article offered for sale to be made known, and to provide for the sealing and examining of weights and measures by the police.

13. To compel the reporting to the city clerk of all marriages, births and deaths; to regulate the burial of the dead, and to prohibit the use of any place therefor not now used as a cemetery.

14. To compel, regulate and cause the planting and trimming of shade and ornamental trees along the streets and in the public grounds of the city, and to prohibit the injury, defacement or destruction of such trees, and of fences, posts, buildings, public lamps, gas pipes, or fixtures.

15. To compel the confining and muzzling of dogs, and the destroying of such as may be found running at large, and to provide for the licensing of dogs.

16. To compel or cause the making and repairing of railings at exposed places in the street.

17. To compel every person to clear the ice and snow from the sidewalks and gutters in front of any lot owned or occupied in whole or in part by him; and in cases of neglect or refusal, such cleaning may be done by the commissioner of public works, and the expense thereof, after being audited and allowed by the common council, together with ten per centum in addition thereto shall thereupon be and become a lien and tax upon said lot, and may be charged against said lot in the tax-roll of the ensuing year.

18. To prohibit exhibitions of natural or artificial curiosities, caravans, circuses, theatrical and other shows or exhibitions or performances for money, unless duly licensed, and to provide for licensing such as may be deemed proper on such terms as it may prescribe.

19. To prohibit runners and others from soliciting passengers to ride in any stage, omnibus, boat, or upon any railroad, or to go to any hotel or elsewhere, except under such regulations as it may prescribe.

20. To prohibit the bringing, keeping or depositing within the city limits of the putrid carcass of any animal or any unwholesome thing, and to require the removal of any putrid or decaying substance by the person occupying the premises on which the same may be.

21. To prohibit the slaughtering of any animal at any place or time or in any manner that the common council may prescribe; to establish and regulate a market or markets, to restrain and regulate the sale of meats, fish and vegetables within the city; to license butchers and marketmen; to determine whether any proposed location or private market will be detrimental to the public interest, and, at discretion, to grant or refuse leave to any applicant to open a market for fish or meat at any particular point in said city.

22. To prohibit the adulteration of wines, liquors, ales, drugs, milk, food and provisions sold or exposed for sale, and the selling or giving away to be drank of any intoxicating liquors to any person under eighteen years of age.

23. To prohibit and suppress gaming, gambling-houses, disorderly-houses and houses of ill-fame, and places of prostitution; to punish the occupants thereof, and to confiscate all instruments and devices used for gaming or fraudulent practices.

24. To preserve the public peace and good order, and to punish vice and immorality.

25. To prohibit the use, within the city, of steam boilers, except upon such conditions and regulations regarding safety to life and property as it shall prescribe; to provide for the periodical inspection and testing of all steam boilers used, or proposed to be used in the city; to provide for and authorize the appointment of a competent person to be inspector of engines and steam boilers; to provide for the examination and licensing of steam engineers, or persons to be authorized to manage or operate steam engines and steam boilers, and prohibit any person from using, managing or operating any steam engine or steam boiler, except such as shall have been licensed so to do, and to prohibit the using, operating or managing of any steam boiler until the same shall have been duly inspected, and its use permitted.

26. To prohibit dumb animals and poultry from running at large and pasturing on any of the public streets; to authorize the impounding and sale of the same for any penalty incurred thereby, and for the fees and expenses thereof, and to establish a public pound or pounds, and prescribe the manner of impounding or selling animals and poultry impounded, and the owner of the same is liable personally for such penalty, fees and expenses.

27. To prevent the incumbrance of the streets, squares, side walks, crosswalks, lanes and alleys, with animals, vehicles or any substance or material whatever. To provide against accidents at railroad crossings, to require gates, guards, signals and flagmen thereat, and to limit the time beyond which railroad crossings may not be obstructed. To prohibit and cause to be removed at the expense of the owner or occupants thereof, any structure encroaching on the streets, docks, wharves, public parks or grounds, sidewalks or crosswalks, provided that, before any order or adjudication is made directing the removal of any such structure, notice to remove the same shall be given to the owner or occupant thereof, and an opportunity to be heard thereon before the common council; and in case of the removal thereof by the city, a certificate filed in the office of the city clerk, stating the expense of such removal, signed by the mayor, shall be conclusive evidence of the amount of such expense, and may be recovered

from such owner or occupant by action. To prohibit or provide for permitting building materials to be deposited on the street in front of any lot to such extent and for such time as it may prescribe, and to regulate the moving of buildings through the streets.

28. To prevent the driving or leading of horses, teams, cattle, swine or other animals on any sidewalk, and the playing of ball, flying of kites, rolling of hoops, and sliding down hill on any street.

29. To regulate the use of bicycles in the public streets, avenues and squares; to prohibit horse-racing and immoderate driving in the streets, limit the speed of driving on streets and bridges, and to require that bells shall be attached to horses being driven before sleighs in the streets.

30. To prohibit the firing off of any firecrackers or other fireworks, the ringing or tolling of bells, blowing of horns, hawking, or crying of newspapers or of merchandise, the beating of drums, discharging of guns or pistols, or the making of any unnecessary noise, or any other practices having a tendency to frighten horses, annoy or endanger travelers, citizens or the sick, or which may tend to disturb the peace of the city.

31. To prohibit the landing within the city of any boat while making an excursion of pleasure from the city of New York or elsewhere, or of any passenger or passengers from the same, and the coming into the city, and the harboring or entertaining within the city of any pleasure party or excursion, or to permit such landing, coming or harboring, on such terms as it shall prescribe.

32. To prohibit the keeping of swine within the limits of the city, and to prescribe where or within what distance from any street or dwelling-house, or within what boundaries of the city, swine, cows, and goats shall not be kept.

33. To regulate the manner of and to prevent the carting, carrying, keeping, storing, selling or using of gunpowder, nitro-glycerine, kerosene, petroleum, and other combustible and dangerous materials; to prevent the manufacture thereof, and the refining or preparing of combustible oils or fluids; to regulate the use of candles and lights in livery and other stables and outbuildings, to prescribe what kinds and qualities only of kerosene, petroleum and other combustible or dangerous oils, fluids or other materials and substances may be sold, carted, carried, kept, stored or used in the city, and to provide for the inspection and testing of the same by the police; to prevent the sale thereof except under license to be granted on such terms as it may prescribe.

34. To require and cause the removal from thickly inhabited parts of the city of all persons having contagious, infectious or pestilential diseases.

35. To secure and promote the public health and safety; to determine public nuisances, and to prevent, restrain, remove and abate the same; to compel the owner or occupant of any premises within the city, whereon or from which there shall be any cause or promotant of disease or ill health, to remove or remedy the same, and to cleanse, disinfect, and purify said premises within such reasonable time as the common council may designate. In addition to its remedies, by actions at law or in equity, to enforce these powers, the common council shall have power to cause any public nuisance to be abated by any officer it may direct, and the expense thereof, after being audited and allowed by the common council, together with interest in addition thereto, shall thereupon be and become a lien and tax upon said lot, and may be charged against said lot in the tax-roll of the ensuing year, or an action may be brought by the city to recover the amount thereof.

36. To compel the owner or occupant of any grocery, cellar, tallow-chandler shop, soap factory, tannery, stall, stable, barn, privy, sewer, slaughter-house, skin factory, or any unwholesome or nauseous house, ditch, pond or place; to cleanse, remove, abate or discontinue the same, whenever necessary for the health or comfort of the inhabitants of the city.

37. To give names to streets, and numbers to lots and buildings; to change the same, and to compel the owners or occupants of any lot or building to place such number in a prominent place thereon.

38. To cause the boundaries of the city and the streets to be surveyed and maps thereof to be made.

39. To build, maintain and regulate the use of a public pier or piers, wharf or wharves, in any of the navigable waters within the city, upon such land or lands under the water as shall be purchased by or granted to the city; to provide against, and for the removal of, obstructions to the landing of steamboats at their customary and usual docks and places of landing; to establish rates of wharfage and dockage; to prevent the incumbrance and obstruction of wharves, docks and piers; the throwing into or depositing in the waters adjacent thereto of anything that shall obstruct the use of the same, and to cause the removal of any such incumbrance or obstruction or deposit; and to provide for the removal and sale of all articles and things that shall incumber said wharves, docks and piers.

40. To fix and locate a line in the Hudson river, beyond which no pier or wharf shall be built or extended from the easterly shore of said river; also to fix and locate a line therein, beyond which no bulkhead shall be constructed. Such lines shall be

fixed by the making and adopting of a map showing such lines, and their directions and distances from known monuments. After such a map shall be adopted, it shall be unlawful to construct any bulkhead, pier or wharf beyond such lines, respectively. Such lines may be changed in the same manner, from time to time, by a three-fourths vote of the common council.

41. To prohibit the sale or offering for sale in the city of prize packages of merchandise in any form, having a value which is uncertain, and depending upon some unknown quantity of money or other property said to be contained therein or therewith; and the offering for sale or selling of such packages is hereby declared to be a misdemeanor.

42. To regulate the construction of stairs, stairways, halls, doors, means of egress and ingress in every building now or hereafter erected in the city, and used or intended to be used as a church, school, hotel, factory, hall, or place for public assemblage; to keep the aisles and passageways in every church, school-house, hall and other places for public assemblage free from obstructions, to secure the public safety in all buildings or structures used or intended to be used for public assemblages, and to compel the owners, trustees, or persons in possession of any such building or structure to comply with the requirements of the common council for the promotion of the public safety and security.

43. To regulate and prevent the throwing or depositing of ashes, offal, dirt, refuse or garbage in the streets; to compel the depositing of garbage and offensive substances in suitable receptacles and places; to compel the separation of ashes and garbage, and to prevent the intermingling or depositing thereof in the same receptacle.

44. To establish and enforce obedience to regulations effecting the width of tires used on the wheels of wagons and trucks driven in the streets of the city of Yonkers.

§ 7. The common council shall not donate any moneys to any purpose whatever. No alderman shall be appointed or elected to, or be competent to hold any office, the compensation of which is paid by the city, or be interested in any work done, or supplies furnished, in pursuance of any action of the common council. Any violation of this section by any alderman shall operate to vacate his office.

§ 8. The common council, or any committee thereof, shall have power to issue a summons requiring any person to appear and testify before it, in respect to any matter pending before it or referred to it. Such summons may be served at any place within the county of Westchester, in the same manner as subpoenas for witnesses in criminal cases. Any person who shall neglect to attend in obedience

to any such summons, may be arrested on an attachment, which must be issued by the city judge upon proof of service of such summons and of such neglect, and brought before him, who, after hearing the proofs offered, if he shall adjudge the accused guilty of disobedience of such summons, may commit him to the county jail or other place of detention, under arrest, until he shall testify as required. A witness, so neglecting to attend, may also be fined and imprisoned by the city judge for disobedience of such summons in the same manner and to the same extent as witnesses refusing to attend in obedience to a subpoena issued by a justice of the peace. Whenever any person summoned as a witness before the common council, or any committee thereof, shall refuse to be sworn or affirmed, or to answer any pertinent or proper questions, the mayor or presiding officer of the common council, or the chairman of such committee, may forthwith commit such person to the county jail or other place of detention for a period of not exceeding twenty days, or until he shall be sworn or affirmed, or answer such questions. Such commitment shall be made by warrant, directed to the sheriff of the county or other officer having such place of detention in charge, and shall recite the cause of such commitment, and such officer shall keep such person in close confinement as directed thereby.

§ 9. The mayor, the presiding officer of the common council, or the chairman of any committee thereof, shall have power to administer oaths or to take affidavits in respect to any matter pending before the common council or such committee; and any person required to take such oath or affirmation, or to make such affidavit, who shall, under oath or affirmation, in any statement, or affidavit or otherwise, wilfully swear falsely as to any material fact or matter, shall be guilty of perjury.

§ 10. The common council shall have power to do all acts necessary for carrying into effect any resolution, ordinance or other proceeding which it is authorized to adopt, and for that purpose to make, publish, ordain, amend and repeal ordinances, by-laws, resolutions and regulations not contrary to any law of this state, and to enforce observance thereof by imposing penalties on every person or corporation violating the same, not exceeding in any one case of violation one hundred dollars, to be recovered with costs in a civil action in the city court of Yonkers, or in any court of competent jurisdiction, and after judgment and return of execution against property unsatisfied, the judgment-debtor may be imprisoned not exceeding ten days in the county jail of Westchester county, in the same manner as upon causes of action when execution may be issued against the person. Violation of any such ordinance, by-law, regulation or resolution may also be restrained by injunction. An injunction may be granted

in the same action brought to recover a penalty or penalties. In any such action brought in the city court of Yonkers, said court shall have jurisdiction, and an injunction order may be granted by said court or the city judge, and said court shall have jurisdiction to grant and enter judgment perpetually enjoining and restraining such violation. Upon the granting of any such injunction, no undertaking shall be required on the part of the city. Any disobedience of such order or judgment restraining such violation may be punished by fine or imprisonment, or both, as provided by law. The mayor or any alderman may, and it shall be the duty of every police officer to arrest, without process, and take before the city judge or acting city judge, every person whom they, or any of them, shall find violating any ordinance, by-law, regulation or resolution of the common council; and such person, upon conviction thereof, may be punished by a fine equal to the penalty fixed for such violation, and where a maximum and minimum penalty is fixed, a fine not less than such minimum nor more than such maximum penalty may be imposed, in the discretion of the magistrate convicting, and in default of payment of the fine, by imprisonment in the county jail for a period not less than ten days nor more than six months, in the discretion of such magistrate. Every such ordinance, by-law, regulation or resolution, imposing any penalty for a violation of the same, must, after its passage, be subscribed by the city clerk, approved by the mayor, and published, at least, once in each week for two weeks successively in the official city newspapers. Personal service of any ordinance by-law, resolution, or regulation, shall, as to the person served, be equivalent to due publication thereof. Every person willfully violating any lawful ordinance, by-law, rule, regulation or resolution of the common council or the board of health, or any of the provisions of the sanitary code of the board of health, shall be deemed guilty of a misdemeanor.

§ 11. The common council shall have power, by a two-thirds vote of all its members, to purchase or lease such lands and to erect such buildings as may be necessary for city purposes, and to construct public docks, wharves and piers, and to make and execute bonds of the city for the amount of such purchase-money, and the cost of erecting such buildings, docks, wharves and piers, to the extent of sixty thousand dollars. Such bonds shall be of such denomination, bear such interest, not exceeding the legal rate, and mature as the common council shall determine; provided, nevertheless, that not more than five thousand dollars of such bonds shall become payable in any one year. Said bonds shall be signed by the mayor and city clerk, and sealed with the city seal. The common council is hereby authorized to raise, by tax, such

sums of money as shall be necessary to pay the interest on the said bonds, and the principal thereof, which sum shall be, in addition to all sums otherwise authorized to be raised by tax. The common council, by a vote of two-thirds of its members, shall have power to sell, at public auction, to the highest bidder, after a notice of six successive weeks in the official city newspapers, any real estate belonging to the city, except the manor hall property, the property acquired in providing for a supply of water for the city, the lands purchased for the city under sales for non-payment of taxes or assessments, and to appropriate the proceeds thereof toward the purchase or improvement of other property for city purposes or the payment of the bonded debt of the city.

§ 12. The common council shall have power to purchase or lease such lands and buildings, and to erect such buildings, as in the judgment of said common council, may be necessary for the accommodation of the fire department of said city, and to repair, alter, change or rebuild any of the buildings now or that may hereafter be owned by said city and used by its fire department, and to remove the fire bell of said city from its present location, and to erect said bell or other bell in such place or places as the common council may determine, and to provide that said bell or bells may be rung by electricity, and to provide that the alarm of fire may be communicated to the members of the several fire companies of said city by such means and in such manner as the common council may deem proper, and to do any or all of the foregoing acts or any other act that said common council may think necessary for the better prevention and extinguishment of fires within said city, and to make and execute bonds of the city for the amount of such purchase-money, and the costs of doing any and all of the acts hereinbefore provided, to the extent of thirty thousand dollars. Such bonds shall be of such denomination, bear such interest, not exceeding four per centum, and mature as the common council shall determine; provided, nevertheless, that not more than five thousand dollars of such bonds shall become payable in any one year. Such bonds shall be signed by the mayor and city clerk and sealed with the city seal. The common council is hereby authorized to raise by tax such sums of money as shall be necessary to pay the interest on the said bonds and the principal thereof, which sum shall be in addition to all sums otherwise authorized to be raised by tax. -

TITLE VII.

Of Highways, Lamps, Walks and Streets — Improvements and Assessments.

Section 1. The common council shall have within the city all the powers given by law to the commissioners of highways of towns; shall be under the same obligations to keep roads and

bridges in repair, and subject to the same liabilities in respect thereto, as commissioners of highways, and the expenses thereof, except as herein otherwise provided, shall be paid out of moneys raised by tax by the common council. In all proceedings by the common council as commissioners of highways, the city clerk shall perform all duties required by law to be performed by a town clerk.

§ 2. The common council shall have the exclusive power, under the restrictions contained in this act, to cause streets and avenues to be laid out, opened, extended, straightened, altered, widened, regulated, reregulated, graded, regraded, paved and repaved (none of which shall be construed as repairs); streams and rivers to be bridged, with or without draws; culverts and bridges to be built; public squares and parks to be opened, extended, regulated, ornamented and protected; sidewalks to be flagged and reflagged, and curb and gutter stones to be set and reset; lamp-posts and lamps to be erected and lighted, and cisterns made for the purpose of furnishing water in case of fire; drains, sewers, well and pumps to be constructed, extended, enlarged and repaired; and to make such other improvements in and about such streets, avenues and squares as the public wants and convenience shall require, and to employ such persons as may be necessary therefor. The expense of all such improvements, except for repairs, repaving and two-thirds of the expense of paving streets, shall be assessed and be a lien upon the property benefited thereby, in proportion to such benefit. Whenever the board of health shall determine that it is necessary for the protection of the public health that any sewer should be constructed, extended, enlarged or repaired, and shall so certify to the common council, the common council shall immediately cause the same to be done; provided, however, that the common council may appeal to the state board of health from any such determination, at the meeting at which the certificate thereof shall be presented to it, or at or before the next stated meeting thereafter. Such appeal shall be by resolution, a certified copy of which must be served upon every member of the board of health, and upon the secretary of the state board of health within ten days after its adoption. The board of health of the city or any taxpayer thereof may bring such appeal to a hearing by giving five days' notice thereof to the city clerk. The state board of health shall decide such appeal within thirty days after such hearing, and may affirm, modify, or reverse such determination. Such affirmance or modification shall be final and conclusive, and the common council shall forthwith cause such sewer to be constructed, extended, enlarged, or repaired as provided in such recommendation as so affirmed or modified, and

all proceedings authorized by this act shall be conducted in the manner and form in this act prescribed.

§ 3. The common council may use any or all the public streets, avenues and squares in the city, for the construction of sewers and other public works.

§ 4. Whenever a petition shall be presented to the common council for the laying out or opening of any street, avenue or square, or for taking any property, right or easement in land for any purpose under this act, signed by one-third of the persons owning land on the line of said street or proposed street, or of the property, rights or easements to be taken, or for the widening, extending, altering or straightening of any street, signed by one-third of the persons owning land on the line of the whole street, including the part proposed to be widened, extended, altered or straightened, or on the line of the part proposed to be widened, altered, extended or straightened only, it shall cause to be published in the official city newspapers, once in each week for two consecutive weeks, a notice that such petition has been received, and of the time, not less than twenty days after the first publication of such notice, when it will act thereon; if no remonstrance signed by a majority of the persons who will be assessed therefor, shall be presented to it on or before the day specified in said notice, it may then, or as soon thereafter as may be, allow such improvement to be made, or the property, rights or easements to be taken. The common council shall fix the district of assessment, beyond which the assessment shall not extend, a description of which shall form a part of such notice. The common council may, without such petition or notice, or in case of a petition, notwithstanding such remonstrance, allow such improvement to be made or property, rights or easements to be taken by the unanimous vote of all the members of the common council then in office; provided, however, that ten days before such action be taken a notice be given to interested parties of a time and place when they may be heard before the common council or a committee thereof by publishing the same in the official city newspapers. If the common council shall allow such improvement to be made, or property, right or easements to be taken, it shall cause application to be made to the county court of the county of Westchester, or the supreme court at a special term held in the judicial district in which said county shall then be situated, for the appointment of three persons as commissioners to estimate and assess the expenses of the improvement, and the amount of damages to be sustained and benefit to be derived therefrom by the owners of lands and buildings affected thereby. Notice of such application must be published in one or more of the official city newspapers, once in

each week for two successive weeks before the day on which the application is to be made. The court to which such application shall be made shall appoint three persons as such commissioners, who shall be owners of a freehold estate in the city, liable to taxation, not situate in the assessment district. In case any of the persons so appointed commissioner shall die, resign, decline to serve, remove from the city, be or become disqualified or interested in lands to be assessed or taken, the court, upon the application of the common council may, without notice, appoint another commissioner in his place.

§ 5. The persons who shall sign a petition for any such improvement shall be chargeable with, and are liable for, all expenses which may be incurred thereon, if the same is refused by the common council; and the amount of such expenses, after being audited and allowed by the common council, may be recovered against such persons jointly or severally, by action in the name of the city of Yonkers.

§ 6. The common council must cause a map to be made by a competent surveyor, on which shall be designated, by feet and inches, as near as may be, the several pieces of land necessary to be taken for the improvement, and the several pieces of land within the district of assessment, which shall be numbered in figures from one upward; and such map shall constitute a part of the report of the commissioners. Provided, that when any right or easement in land is to be taken in the proceeding, such map shall show the land in which such right or easement is to be taken, and by appropriate words written thereon, shall state the particular right or easement to be taken as to each separate lot of land.

§ 7. Each commissioner shall be sworn faithfully and impartially to perform the duties which shall devolve upon him by virtue of his appointment, and shall proceed with all reasonable diligence to the discharge of his duties, and for that purpose the commissioners have power to enter upon and examine any premises which, in their opinion, will be affected by the improvement, to hear the proofs and allegations of the parties interested, at such time and place as they may appoint, and to adjourn, from time to time, as they may deem proper. They must, by publication in one or more of the official city newspapers, give notice of the time and place when and where they will meet and hear the proofs and allegations of the parties interested, which time shall not be within less than ten days from the first publication of the notice.

§ 8. The report of such commissioners shall be in tabular form, with columns, in which shall be distinctly shown the whole expense of the proposed improvement, and the several items

thereof, the number on the map of the pieces of land required for the improvement, or of the lots in which a right or easement is to be taken, and of the pieces of land assessed for benefits; the names of the persons interested in the property taken for the improvement, or of the lots in which a right or easement is to be taken; the amount awarded to such persons respectively therefor; the amount assessed upon each piece of land, and on the different interests therein, the balance of award to be received by different parties over the assessment on their respective land, the balance of assessments to be paid by each person, the assessment on whose land amounts to more than the award, and so many and such different columns and statements as may be necessary to designate the interests of the parties in the land or rights required for the improvement, and their liabilities in relation thereto; provided, however, the commissioners may substitute in their report for the name of the owner of any lands taken or assessed, the words "unknown owner," in all cases where they have been unable to ascertain the name of the owner. No mistake or error in the ownership of any such lot shall invalidate such report or any part thereof.

§ 9. When a portion of any lot is necessary to be taken for any such improvement the commissioners may, in case where injury and injustice would otherwise be done, and with the consent in writing of the owner or owners of such lot, and upon the examination and approval of the title to the same by the city attorney, include the whole or any part of the residue of such lot and the buildings thereon in their report, briefly describing the same, and separately estimate the value thereof, and assess the same as a part of the expense of the improvement. Every such residue or before or referred to it. Such summons may be and all buildings on any land taken for such improvement shall, upon the confirmation of such report, and the payment or tender of the amount at which the same shall have been so estimated, to the owner or owners thereof, vest in fee simple in the city of Yonkers, and the common council shall thereupon cause the same to be sold and conveyed to the former owner or owners thereof or to the owner or owners of the next adjacent land at a price not less than the sum so estimated, and if he or they, upon reasonable notice, to be determined by the common council, shall not take the same and pay such price, it shall be sold at public auction, upon such notice as the common council shall deem proper, for the best price that can be obtained therefor. Upon the sale of the same the proceeds thereof shall be apportioned by the city clerk between the owners of the land assessed in proportion to the amount of their respective assessments, and paid to them or deducted from their respective assessments.

§ 10. After the report shall be completed, it shall be deposited with the city clerk. The commissioners shall then cause to be published, in one or more of the official city newspapers, a notice that the report has been completed and so deposited, and that they will meet at the time and place therein to be specified, not less than ten days from the first publication of such notice, to review their report. During such time the said report may be examined, free of expense, by all interested, and, at the time and place so specified, any such person may be heard thereon, and may present objections thereto in writing, accompanied with such affidavits as he may think proper. The commissioners shall, as soon as convenient thereafter, review their report, correct the same where they shall deem proper, and file it with the city clerk. At the time of filing said report the commissioners shall also file a certificate of their proceedings, which may be read in evidence, and shall be presumptive evidence as to the facts therein stated. In case of any alteration of an assessment or award being made, after such hearing, they shall, before filing their report, cause to be published in one or more of the official city newspapers, for two successive weeks, a notice that such report has been altered and deposited with the city clerk, and that at a time and place therein stated they will meet to hear and receive objections thereto, and as often as such alteration is made, like notice shall be given. At the time and place mentioned in such notice, the commissioners shall attend and hear and receive objections and affidavits on behalf of any person whose award or assessment shall have been altered. The expense caused by such alteration shall be assessed by the commissioners, and shall not be deemed an alteration of an assessment so far as to require publication of the notice thereof. The common council must then cause to be published in one or more of the official city newspapers a notice that the report has been completed and filed, and that application to have the report confirmed will be made to the county court of the county of Westchester, or to the supreme court at a special term thereof to be held in the judicial district in which said county shall then be situated, at a time and place to be specified in said notice, not less than ten days from the first publication thereof. The city clerk, on or before the day of the first publication of such notice, shall deposit a copy thereof in the post-office of the city, paying the postage thereon, addressed to each person named in such report as the owner of property assessed for benefit, or to whom an award is made for damages. Any such person may appeal from said report, by notice in writing, to be served on the city clerk at least six days before the time at which application is to be made to have the report confirmed. Such notice must be accompanied with copies

of the objections and affidavits which have been delivered to the commissioners, and also with a statement in writing of the grounds of objection to such report, and of the manner in which it is contended the same ought to be altered.

§ 11. Such appeal shall be heard by the court at the time application is made to have the report confirmed. The affidavits delivered and served as aforesaid, and no others, may be read against confirming the report. Such confirmation can be opposed only by such appeal. If, in the opinion of the court, an assessment shall exceed the value of the land assessed, it shall be good cause against confirming the report. The court shall confirm or refuse to confirm the report. In case of refusal, it shall send it back for revision or correction to the same or to other commissioners, to be by it then appointed, who shall revise or correct the same, or make a new report, and thereupon the same proceeding shall be had as upon the first report, and as often as any such report shall be sent back, as aforesaid, like proceedings shall be had. In cases, however, where the court shall direct specific alterations to be made therein, it may thereupon confirm the said report without further notice. After the report is confirmed it shall be filed with the city clerk.

§ 12. The common council shall cause to be paid to each person to whom an award may have been made in such report, or to his legal representatives or assigns, the amount of the same in excess of assessments against him.

§ 13. The county judge of Westchester county, or a justice of the supreme court, shall have power to appoint guardians for infants or other incompetent persons, to protect their interests or prosecute appeals in any such proceeding, who shall be entitled to receive ten dollars for their services before the commissioners, and no other fee, unless upon an appeal, in which case the court which shall hear the appeal shall fix upon the further amount to be allowed them, if any, and certify the same. The court may order such compensation to be paid out of any award to such person.

Of the Grading of Streets and the Construction of Sewers, Bridges, Wells, Et cetera.

§ 14. The common council shall have power to establish the grade, construct, make, grade, regulate and repair streets, highways, sidewalks, crosswalks, bridges, sewers and aqueducts, or cause the same to be done; but no sewers shall be constructed in the city except by the approval of the department of public works of the city, and in accordance with plain and accurate specifications therefor, to be prepared by the said department.

§ 15. The regulating, reregulating, grading, regrading, paving,

repaving and graveling of streets and highways, or any part thereof; the completion of the regulating and grading of all streets or highways, or of any part thereof, and of the bridges thereon, which have been or may be laid out in the city, by the lawful authority; the construction, extension, enlargement and repair of sewers, drains, wells, fire cisterns, culverts and bridges, the procuring of pumps, water-pipes and hydrants for fire purposes, erecting pumps and hydrants, and laying such water-pipes, may be contracted for by the common council, and the expense thereof, except for repaving and two-thirds the expense of paving, shall be apportioned and assessed upon the several lots of land benefited thereby, by the assessors, in proportion to the benefit which the same shall derive from the improvement. One-third of the expense for paving shall be assessed upon the several lots of land benefited thereby, by the assessors, in proportion to the benefit which the same shall derive from the improvement, and two-thirds thereof shall be paid by the city of Yonkers, in the manner provided in section forty of title seven of this act.

§ 16. Prior to contracting for any such work, a plain and accurate specification of the work proposed to be constructed must be prepared and placed in possession of the city clerk for public inspection. The commissioner of public works, must, in all cases, cause to be prepared and approve the specifications for constructing all sewers, drains, wells and fire cisterns. The specification for all other work, mentioned in the last foregoing section must be prepared by direction of the common council and approved by it. The common council shall then fix a district of assessment beyond which the assessment shall not extend, and cause to be published, in one or more of the official city newspapers, a notice that on a day therein to be named, at least two weeks from the first publication thereof, it will act in relation to the work proposed to be constructed; and, in the meantime, sealed proposals for constructing the work, with the name of sureties, for the faithful performance thereof, will be received by the city clerk. A description of such district shall form a part of such notice. Upon the day mentioned in the notice, or upon such subsequent day as the common council may adjourn to for the purpose, the mayor or presiding officer, shall, in the presence of the common council, open such proposals, and the common council shall determine which proposal is the most favorable. No proposals shall be considered unless accompanied by the written consent of two sureties, conditioned that, if the proposals be accepted, they will execute and deliver a bond with the bidder in a penalty to be fixed by the common council, conditioned for the construction of the work at the price and upon the terms proposed according to the plans and specifications therefor, within such

reasonable time as the common council may limit, and subject to the supervision and approval of the common council, or of the department of public works, as the specifications shall provide. The common council may then, by the vote of a majority of all its members, to be ascertained by taking and recording the ayes and noes, direct the construction of the proposed work, and accept the most favorable proposal. Immediately upon the acceptance of such proposal and the execution of a contract for the performance of such work, pursuant to the terms of such proposal, the common council may issue bonds of the city, to be known as "assessment bonds," to the amount of two-thirds of the consideration specified in the said proposal and contract. Such bonds shall be signed by the mayor and the city clerk, to be of such denomination, bear such interest not exceeding the legal rate and mature at such times not exceeding three years from their date as the common council shall determine. The common council may convert said bonds into money at not less than their par value, or obtain loans upon the same, and the proceeds thereof shall be applied only for the purpose of making payments at such times as the common council shall determine, on account of work performed under and pursuant to such proposal and contract, and on account of services rendered in relation thereto. The principal and interest of such bonds shall be considered a part of the expense of making the improvement provided for in the said proposal and contract, and shall be paid in the same manner as it is now provided that the expense of making the said improvement shall be borne and paid.

§ 17. The assessors shall make a report, in writing, of the assessment so made, and deposit the same with the city clerk, and cause to be published in one or more of the official city newspapers once in each week for two successive weeks, a notice that the report has been completed and so deposited, and that they will meet at a time and place therein to be specified, not less than ten days from the first publication of such notice, to review their report. At such time and place the parties interested can be heard; and thereafter the assessors shall review the report, correct the same where proper, sign and file it with the city clerk, with all the objections in writing which have been left with them by the parties interested.

§ 18. The common council shall examine and correct the report and assessment, or send it back to the assessors, or confirm the same, as it may deem proper. And like proceedings shall be had when the report is sent back as in the first instance.

§ 19. Whenever the common council shall determine to regulate, reregulate, grade, regrade or pave any street or highway, or any part thereof, it may direct a curb to be set and a gutter to be

made on each or either side of such street or highway, and the expense therefor shall be assessed by the assessors with the expenses of regulating, reregulating, grading, regrading or paving such street or highway, in the same report and assessment upon the lots of land only that shall front upon such street or highway, and in proportion to their respective frontages thereon.

§ 20. When the common council shall contract for any work the specifications for which are prepared by the department of public works, said department is charged with the duty of the superintendence and inspection thereof, and to that end may employ engineers, surveyors, inspectors or other servants as may be necessary, who shall be paid therefor only out of such sums as shall be raised by assessment for the work. The said department of public works shall cause such work to be skillfully and faithfully constructed and completed by the person or persons contracting therefor, strictly in accordance with the plans and specifications, and shall report to the common council, as required, the condition and progress of such work. As to all other work, the same duty is charged upon the common council. No payment shall be made on account of any work with the superintendence and inspection whereof the department of public works is charged without a written certificate of the commissioner of public works certifying the amount due.

Of the Alteration of the Grade of Streets.

§ 21. The common council shall have power, on the written recommendation of the commissioner of public works, or on the written petition of any other party interested, to alter the grade of any street or highway or of any part thereof. Before determining to make such alteration, it shall cause to be made and deposited in the office of the city clerk a profile showing the intended alteration, and cause to be published in one or more of the official city newspapers, once in each week for two successive weeks, a notice that such petition has been received and such profile so deposited, setting forth their intention to make such alteration, and requiring all persons interested to present their objections, in writing, to the common council, at a time and place to be mentioned therein, not less than two weeks from the first publication thereof. The common council may, at any time within one year thereafter, by a vote of three-fourths of all its members, so alter such grade. In case the owner of any building or other structure, or his authorized attorney, shall file with the city clerk, within six weeks after the vote of the common council, altering the grade of any street or highway, a claim in writing, for damages to such building or other structure arising

from such alteration, the common council must fix an assessment district and cause application to be made to the county court of Westchester county, or to the supreme court, at a special term thereof, for the appointment of three commissioners to estimate and assess such damages; and like proceedings shall thereupon and thereafter be had in respect to such claim as in this title is provided for estimating and assessing the expense for the opening and widening of streets. All claims for such damages so filed shall be considered and disposed of in the same proceeding. No building or other structure shall be deemed to have sustained damage by reason of such alteration of grade, unless such building or structure shall have been built with reference to or to conform with the previously established grade.

Of the Discontinuance of Streets.

§ 22. Upon the petition of six or more residents of the city, and owners of a freehold estate therein, liable to taxation, the common council may discontinue any public street or highway, or part thereof that shall appear to it unnecessary. Such petition must contain a description of the street or highway, or part thereof proposed to be discontinued and be accompanied by a map showing the street or highway proposed to be discontinued, and its connection with other streets or highways; or if only a part of a street or highway, then its connection with the remaining portion. Before acting thereon such petition and map must be deposited with the city clerk, and the common council must cause to be published in one or more of the official city newspapers, once a week, for three successive weeks, a notice that such petition has been received and that a map showing the proposed discontinuance, and a description of the street or part of street proposed to be discontinued has been deposited with the city clerk, and that upon a day to be stated in such notice, at least twenty days after the first publication thereof, it will, if it deem proper, order such discontinuance to be made. Unless a majority of the owners of land fronting on such street shall, on or before the day specified in said notice, remonstrate against such discontinuance, the common council, by a vote of three-fourths of all its members, may, upon the day specified in said notice, or upon a subsequent day to which the matter may be postponed, order such discontinuance by an order, in writing, signed by the city clerk, approved by the mayor, sealed with the corporate seal, and filed in the city clerk's office with the map accompanying such petition. The lines of the street shall thereupon conform to the change made by such discontinuance. The common council may, as a condition for the granting such order of discontinuance, require

the owners of the land within the street or part thereof to be discontinued, to pay the expense of such proceeding.

§ 23. In case the owner of any building or other structure, or of any land affected by any such discontinuance, or his authorized agent or attorney, within six weeks after the filing of such order of discontinuance, shall serve upon the city clerk a claim, in writing, for damages by such owner suffered by reason of such discontinuance, in respect to such building, structure or land, the common council must establish an assessment district, and cause application to be made to the county court of Westchester county, or to the supreme court, at a special term thereof, for the appointment of three commissioners to estimate and assess such damages. Like proceedings as to such claim shall thereupon be had as is in this title provided for estimating and assessing the expense for the opening and widening of streets. In case the person making such claim be not in possession of the land, building or structure in respect to which such claim is made, or in case the common council shall deem such case unfounded, it may require the claimant to file with the city clerk a bond, with sufficient sureties, to be approved by the mayor, conditioned to pay all costs, expenses and disbursement which may be incurred by the city in such proceedings, in case no award for damages shall, by such commissioners, be made in favor of such claimant; and until such bond shall be filed the common council may suspend such proceedings. In case two or more persons shall make separate claims for such damages within said six weeks, all such claims shall be considered and disposed of in the same proceeding.

§ 24. Any person aggrieved by such order of discontinuance may, at any time within sixty days after such order shall have been filed in the city clerk's office, appeal thereupon to the supreme court by a notice, in writing, to be served upon the city clerk; such appeal shall be heard at special term, and the court shall affirm or vacate such order as it may deem for the best, having due regard for the rights and interests of the traveling public as well as the individuals affected thereby. No papers shall be read on such appeal, except the proceedings of the common council and such affidavits and objections as may have been served upon the city clerk with the notices of appeal, except to sustain the order of discontinuance.

§ 25. The expense of advertising and printing and the compensation of all persons necessarily employed in any foregoing proceeding under this title is a part of the expense thereof and shall be assessed as such. The common council shall fix such expense and the compensation of all such persons except those employed by the department of public works which shall be fixed and certified by the said department to the common council.

The compensation of the attorney shall not exceed fifty dollars in any such proceeding unless the common council shall by special resolution allow a greater sum.

Of the Acceptance of Dedicated Streets and Highways.

§ 26. Whenever any street or highway shall have been laid out, and ceded or dedicated to the public use as a street or highway in fact or by implication of law, so that the same can be legally accepted and taken as a street or highway, the common council, on the petition of any party owning lands fronting on the same, may lay out and open such street or highway without the appointment of commissioners, and the common council shall have power to declare the same legally laid out as a public street or highway. Before acting on such petition, the common council shall publish in one or more of the official city newspapers, once in each week, for two successive weeks, a notice which shall accurately describe the street or highway sought to be laid out or opened, and state the time when the common council will act upon the prayer of the petition. Unless a remonstrance, signed by a majority of the owners of land on the line of such street, shall be presented to the common council at or before the time specified in such notice, it may, at any time within one year thereafter, lay out and open such street or highway, and by resolution declare such street or highway laid out and opened, and the same thereupon shall become a public street or highway. The common council may, without such petition or notice, or in case of a petition notwithstanding such remonstrance by resolution, declare such street or highway laid out and opened and the same thereupon shall become a public street or highway; provided, however, that before such action be taken the common council give ten days' notice of the proposed action by publishing the same in the official city newspapers, and provided further that the commissioner of public works shall certify in writing that the public interests require that such street or highway should be laid out and opened. Nothing in this section shall make it obligatory upon the common council to lay out or open such street or highway.

§ 27. The common council may, in like manner, and under the restrictions and conditions contained in the preceding section, declare any strip, piece or parcel of land ceded or dedicated to the public use adjoining a street or highway to be legally laid out and opened as a part thereof.

Of the Laying of Crosswalks.

§ 28. The common council may cause crosswalks to be laid out and the expense thereof, after being audited by it, shall be appor-

tioned and assessed by the city clerk on the land in proportion to its frontage, within an assessment district, to be fixed by the common council, to include not more than one-fourth of the area of the two blocks connected by such crosswalk. The city clerk shall cause an assessment map to be made therefor, the cost of which shall be a part of the amount to be assessed. He shall make a report of such apportionment to the common council, who may confirm the report, or direct a new apportionment to be made. When such report shall be confirmed, the assessment shall be a lien upon the property assessed therein and be deemed an assessment under this title.

Of the Construction and Repairing of Sidewalks.

§ 29. It shall be the duty of the owners and occupants of lands fronting on any of the streets or highways, to construct, relay, and keep in repair the sidewalks in front of their respective lots, in such manner and at such times, and of such material, as the common council may direct, after notice shall have been served on the occupant of the premises; personally if occupied, if unoccupied by publication in the official city newspapers for two successive weeks. If any such owner or occupant shall neglect for thirty days after such notice to construct, relay or repair such sidewalks, as required in such notice, the common council may cause such sidewalks to be so constructed, relaid or repaired, and such lots shall be charged with the expense thereof and the cost of advertising, not exceeding in any one year, the rate of two dollars a running foot, and the same after being allowed, assessed and confirmed by the common council, shall thereupon be a lien and assessment to that amount upon each lot, and be deemed an assessment under this title.

§ 30. Whenever the occupant or lessee of any land shall make, repair or construct any sidewalk, as required by the common council, he may recover the expenses incurred therefor from the owner of such lot by action, or set off the amount against the rent of such land.

Of the Fencing, Draining and Filling in of Lots.

§ 31. The common council may require the owner of any lot of land to excavate, fence, drain, or fill in the same within such time and in such manner as it may prescribe, when it may deem necessary for the health or safety of the public. In case any such owner shall neglect to fence, drain or fill in such lot in the manner and within the time so required, after having given thirty days previous notice to such owner or owners of its intention so to do, the common council may cause such work to be done, and the

expense thereof, upon being audited, assessed, and confirmed by the common council, shall be a first lien upon such lot, and be deemed an assessment under this title.

Of Lamp Districts.

§ 32. The common council shall have power to establish separate lamp districts within the city, and to cause street lamps to be erected, lighted and maintained therein. Whenever a petition for establishing a lamp district, signed by one-third of the persons owning real estate situated on the line of the street or streets, or part of the street on which lamps are proposed to be erected, is presented to the common council, it shall cause to be published in one or more of the official city newspapers, once in each week, for two successive weeks, a notice that such petition has been received, and of the time when it will act thereon. The common council shall fix the boundaries of the proposed district, and such notice shall contain a description thereof, and state the number of lamps proposed to be erected. Unless a remonstrance, signed by a majority of the persons owning land which will be assessed, shall be presented to the common council on or before the day specified in said notice, it may then, or as soon thereafter as may be, establish such lamp district, and cause lamps to be erected in all of the streets therein; and the expense of establishing such district and erecting such lamps shall be apportioned and assessed upon the several lots of land within such district, by the assessors, in proportion to the extent of frontage which each lot may have upon any street or streets within such district. The common council shall have power to consolidate any two or more lamp districts, and to increase the number of lamps in any lamp district, separate or consolidated, by a vote of two-thirds of all its members, and to procure such additional lamps and posts and to cause the same to be erected. The moneys required for the erection of additional lamps in an established district, and the maintenance and lighting of lamps within any lamp district, separate or consolidated, shall be levied and raised by tax upon the land within such district, to be apportioned, confirmed and collected upon a separate assessment-roll as to each lamp district and by a separate warrant, and by separate proceedings from the collection of general taxes; such roll shall be prepared and confirmed, and the tax levied, assessed, apportioned, confirmed and collected in the manner hereinbefore provided for the making of an assessment-roll for city taxes and the collection thereof, except that the said rolls may be prepared and confirmed, and the tax levied, at such time as the common council shall direct. Such tax shall be deemed a tax within the provisions of title four of this act. The common council shall have

power at any time to abolish all lamp districts, and to raise annually the expense of maintaining and lighting lamps, in the same manner and in addition to the amount authorized in title four to be raised by tax.

Of the Collection of Assessments.

§ 33. All assessments for improvements in the city shall be a lien upon the property assessed from the time of confirmation, which liens, with interest, percentage and expenses thereon, shall have priority over all other liens or incumbrances.

§ 34. Whenever any assessment under this title shall be confirmed, the city clerk shall make an assessment-list, which shall be a correct schedule of the several assessments, and certify the same, in which shall be stated the assessment on each lot as shown on the assessment map, if any, the name of the street on which it is situate, and its number thereon, as shown by some designated map, and the name of the owner, if given. The common council shall cause such assessment-list to be delivered to the receiver of taxes, with a warrant attached thereto for the collection of the assessments stated therein, in the same form, as near as may be, as for the collection of taxes, and signed in the same manner, and returnable at such time as the common council shall direct, which time may be extended, from time to time, by resolution of the common council.

§ 35. All assessments confirmed under this title shall be collected, with like interest and percentage, and the returns of unpaid assessments made, in like manner, as near as may be, as is provided in this act for the collection of taxes; and lands charged therewith may be sold for unpaid assessments, and when so sold may be released and redeemed in the same manner as in this act provided for the sale of lands for unpaid taxes and for the leasing and redemption thereof, except that all assessments for the construction, extension, enlargement or repair of sewers and for taking any property, right or easement therefor, hereafter confirmed, may be paid in installments in such amounts and at such times, before the day fixed by the common council for the sale of lands for any such assessments as the person paying the same may elect; that the rate of interest on all such assessments not paid within one month after the first publication of the notice required by section twenty-four of title three of this act, shall be five per centum per annum from the date of the first publication of said notice; that no lands shall be sold for any such unpaid assessments, until, at least, five years after the same shall have been confirmed, and that the common council shall take proceedings for the sale of lands for such unpaid assessments within six years after the confirmation thereof. The common council may

issue redemption bonds for the purchase of such lands for the city, under the same restrictions as are provided for the purchase for the city of lands sold for unpaid taxes, and all the provisions of title five of this act, in relation to unpaid taxes shall apply to such unpaid assessments, as far as practicable, in all respects as if the word "assessment" were used therein wherever the word "tax" is used.

§ 36. The receiver of taxes shall, at the expiration of one month, from receipt by him of a warrant for the collection of any assessment under this title, report to the common council the amount of such assessments received by him under such warrant within such month, and the common council may thereupon issue bonds of the city, to be known as "assessment bonds," to the amount of such assessments then remaining unpaid. Such bonds shall be signed by the mayor and city clerk, to be of such denomination, bear such interest not exceeding the legal rate, and mature at such times, not exceeding three years from their date, except that bonds issued for sewer assessments may be for not exceeding six years, as the common council shall determine. The common council may convert said bonds into money, at not less than their par value, or obtain loans upon the same, and the proceeds thereof, shall be applied only for the purposes for which the assessments so reported unpaid were laid; and all moneys received from such assessments, or from the sale of land for the non-payment of such assessments, after the issue of such bonds, shall be held and used exclusively for the payment of such assessment bonds, or loans obtained thereon. If the moneys so received shall not be sufficient to pay such bonds as they become due, the common council may, from time to time, issue additional assessment bonds, equal to the amount of deficiency existing between the moneys so received and the amount of such bonds so maturing; provided, however, that the time of payment of any such assessment bonds shall not be extended beyond two months after the time within which lands must be sold for the non-payment of the assessments in the respective proceedings for which said bonds were issued.

§ 37. In all cases where any proceeding or any assessment for grading, regulating or paving any streets, avenues or public places or the construction of any sewers, bridges or wells, has heretofore been, or shall have been, or hereafter may be, commenced, had, taken, laid, assessed or imposed under the provisions of this title, and either before or after the confirmation of the report of the assessors appointed or to be appointed to estimate and assess the expense of such improvement upon the property benefited thereby under this title, the common council of said city, at any time, on discovering any error or irregularity in such

report, or in the proceedings by and before such commissioners or assessors, or in the establishment of the assessment district, or in the publication of the notices required by this title, or in any of the proceedings of the said common council in respect to such improvement, or whenever any such assessment or any sale thereunder has heretofore been or shall be set aside or declared void or illegal by any court of competent jurisdiction, for any reason, may pass resolutions rescinding the confirmation of such report (if the same has been or shall have been confirmed) and vacating and setting aside all or any of the proceedings by or before said commissioners or assessors, or by or before said common council, and providing for and correcting any errors or irregularities in any of the proceedings, and when requisite, providing for the establishment of a new assessment district, and for the completion of the improvement, and for a reassessment and collection of the expenses thereof upon the property benefited thereby, and in the manner provided in this act.

§ 38. The said common council shall thereupon proceed to ascertain and determine the actual cost and expense paid or incurred for such improvement; and shall fix, establish and describe an assessment district upon and within the limits of which the costs and expense of such improvement, as so ascertained, shall be assessed, and beyond the limits of which such assessment shall not extend; and thereupon and thereafter the same proceedings shall be had and conducted for the laying and imposing of such assessment, the confirmation thereof, the collection of assessments and the sale of lands for the non-payment thereof, as are provided in and by the preceding section of this title, in relation to assessments for improvements in said city.

§ 39. After the confirmation of the reassessments authorized by sections thirty-seven and thirty-eight of this title, and the delivery of the warrant for the collection of the same to the receiver of taxes of said city, as provided in section thirty-four of this title, the said receiver of taxes shall ascertain upon what portions of the real estate embraced therein the sums assessed in and by said original assessments shall have been paid; and whenever it shall have been ascertained to the satisfaction of the said receiver, from the books in the office of the proper city officer, or from the sworn statements of parties interested, or otherwise, that any sum embraced in said original assessment shall have been paid, the amount of such payment shall be applied on such assessment, and the lot or portion of real estate upon which the amount so paid shall have been assessed in such original assessment shall be forever discharged to the extent of such payment of and from any and all lien, charge or incumbrance by virtue or

reason of any reassessment. Whenever the assessment districts shall not be similar, or the premises previously assessed shall not be included within the assessment district, all moneys paid upon the premises which shall not be included in such reassessment, shall be repaid to the person or person who shall have made such payment, and said premises shall be discharged from the lien of such prior assessment. Payment of the final assessment shall operate as a discharge of all assessment liens against the same premises created or charged in the same proceeding.

§ 40. The common council may also, from time to time, issue bonds for such sums as may be necessary to pay two-thirds of the expense of paving streets of the city, provided that the aggregate of such bonds shall not exceed the sum of three hundred thousand dollars. Such bonds shall be of such denomination as the common council shall determine, bear interest at not exceeding four per centum per annum, and mature in sums of not exceeding ten thousand dollars in any year. Said bonds shall be signed by the mayor and city clerk, and sealed with the city seal. The common council shall convert said bonds into money at not less than their par value, or may obtain temporary loans on the same, and the proceeds therefrom shall be used only for the payment of two-thirds of the cost of such paving.

TITLE VIII.

Of the Prevention and Extinguishment of Fires.

Section 1. The common council are hereby authorized and empowered to determine and define, from time to time, the limits in said city within which no building of wood shall thereafter be constructed or repaired, or reroofed or enlarged or made higher, except with such materials and in such manner as shall be approved by said common council; to regulate and prescribe plans and methods for the erection and repairing of buildings within said city or any district or districts thereof that said common council may establish; and whenever said common council shall so require all buildings within said city, or district or districts thereof as may be established, shall be erected and repaired in accordance with the rules, regulations and requirements of the common council, and in accordance with plans previously approved, in writing, by such common council, or the inspector of buildings, as the common council shall determine, after suitable drawings and descriptions of said plans in each case shall have been placed on file with the said inspector of buildings; to require fire-escapes to be provided in such mills, factories and other buildings as it may deem safety to human life requires; to raze or demolish any building or struc-

ture which may be or become dangerous to human life or health; to prevent the dangerous construction or condition of buildings, walls, chimneys, fireplaces, hearths, stoves, stove-pipes, ovens, boilers, and apparatus used in any building, and to cause the same to be removed or placed in a safe condition; to prevent the deposit of ashes in unsafe places. And every building erected, repaired or reroofed, enlarged or made higher, contrary to the ordinances or regulations of said common council, is hereby declared to be a common nuisance, and may be abated and removed as such by said common council, who shall have full power to enter upon any lot or premises upon which said building is so situated, with men, teams, and other means necessary to abate and remove the same; and the expenses of such abatement and removal shall be a lien on such lots or premises, the same as any other lien for taxes or assessments which may now be created in favor of said city. Such lien may be recovered, and its payment or collection enforced, in the same manner as other liens for taxes or assessments are now or may hereafter be recovered, collected or enforced by said city.

§ 2. There shall be a board of fire commissioners composed of four commissioners, each of whom shall hold his office for the term of four years. Fire commissioners shall receive no compensation for their services as such. Upon the expiration of the term of office for which any fire commissioner was appointed, his successor shall be nominated and, by and with the consent of the common council, appointed by the mayor.

§ 3. The fire commissioners shall have power to authorize the officers of the city to keep idle and suspicious persons away from the vicinity of any fires; to compel all persons to aid in the extinguishment of fires and the preservation of property, and, in case of refusal, to arrest or cause such persons to be arrested as disorderly persons under this act, and to establish such regulations and ordinances for the prevention and extinguishment of fires and preservation of life and property thereat as they may deem expedient.

§ 4. The fire commissioners shall procure fire engines and other apparatus used in the extinguishment of fires; have charge and control of the same, and of the engine-houses and other places for keeping and preserving the same, when provided by the common council; have the power to organize fire, hose and hook and ladder companies, which shall constitute the fire department of the city, and to appoint a suitable and competent number of inhabitants of the city as firemen, to take the care and management of the engines and other apparatus and implements made and provided for the extinguishment of fires; to prescribe the duties of and to dismiss firemen, and make rules and regulations for the govern-

ment of the fire department. The members of the several fire, hose and hook and ladder companies, when organized under this section, shall have power to elect from among their number a foreman, an assistant foreman, and a secretary for each of their respective companies, and to nominate members, to fill any vacancy which may occur in their ranks, subject to the regulation and approval of the fire commissioners; provided, that no company shall exceed the number of members allowed by the fire commissioners, which shall not exceed sixty. They may adopt by-laws for the government of their respective companies, and impose fines and forfeitures for the violation of the same. They may expel any member for improper conduct or neglect of duty. During the time such companies shall remain organized, they shall have the custody of the apparatus pertaining to the fire department, subject, nevertheless, to the paramount possession, authority and control of the fire commissioners.

§ 5. The fire commissioners shall be fire wardens, and the common council shall cause and authorize the fire wardens to examine, at reasonable times, all dwelling-houses, lots, yards, inclosures and buildings of every description, in order to discover whether any of them are in a dangerous condition as regards fire, and to regulate and prevent the carrying on of manufactories or any other business dangerous in causing or promoting fire.

§ 6. The members of the fire department shall elect one chief and two assistant engineers, and a treasurer of the fire department, who shall hold office for such time as the fire commissioners may prescribe, or during their pleasure.

§ 7. The chief engineer, or either of the assistant engineers, or any person in charge of any engine, hose carriage or truck on its way to a fire, may detach from any vehicle, any horse or horses, mule or mules, and attach the same to such engine, hose carriage or truck, or may attach such engine, hose carriage or truck to any vehicle to which any horse or horses, mule or mules may then be attached, and compel such horse or horses, mule or mules therewith to assist in conveying such engine, hose carriage or truck to the locality of such fire, and to use the same for such length of time as the officer may deem necessary, thereafter returning the same to the owner or person from whom the same was taken.

§ 8. The fire commissioners and the firemen enrolled by virtue of this act shall, during the term of their service as such, be exempt from jury and militia duty, except in case of war, invasion or insurrection; and a service as fire commissioner and of five years as such firemen shall forever exempt them from such jury and militia duty, excepting as aforesaid. The name of each fireman so enrolled shall be registered with the fire commis-

sioners, and the evidence to entitle him to the exemptions aforesaid shall be the certificate of such commissioners.

§ 9. The fire commissioners may, with the consent of the common council, make provision for the payment of the officers and members of the fire department, or of such portion thereof as they may deem proper. Whenever they shall so determine, they shall have power to appoint all officers and members of the fire department, and to remove all officers and members and fill vacancies at pleasure; to establish rules and regulations for the government of the fire department, when organized under the provisions of this section; and when so organized, all provisions of this act inconsistent with the provisions of this section become inoperative. Whenever the fire commissioners shall determine to pay the officers and members of the fire department, or any portion thereof, the common council, upon the requisition of the fire commissioners, shall raise by tax upon the taxable property within the city, in addition to the sums authorized to be levied and collected under the provisions of section three of title four of this act, a sum not to exceed five thousand dollars in any one year, for the purpose of providing for the support of the fire department. Until such determination, the common council shall annually set apart and appropriate such sum as it shall deem proper for the support of the fire department, and pay the same to the fire commissioners as required. The sum so annually set apart and appropriated shall be known as the "fire department fund," and shall be used only for the care, maintenance, control and other expenses of the fire department, and shall be drawn out only upon the warrant drawn by the mayor and city clerk upon the treasurer of said city by certificates furnished to them, from time to time, by the board of fire commissioners, that the amount is due to the person to whom payment is to be made.

TITLE IX.

Of the Public Health.

Section 1. The commissioners of public health shall constitute the board of health of the city of Yonkers. The mayor within ten days after the passage of this act shall nominate and by and with the consent of the common council appoint four commissioners of public health, one for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years and one for the term of five years, from May first, eighteen hundred and ninety-four. Whenever the term of office of the health officer or of either of the commissioner of public health shall expire, his successor shall be nominated and by and with the consent of the common council appointed by

the mayor. If a vacancy shall occur in the office of the health officer or of either of the commissioners of public health, the vacancy for the unexpired term shall be filled by the nomination and by and with the consent of the common council the appointment by the mayor. The board of health shall meet on the first Tuesday in May in each year and as often thereafter as shall be necessary. The health officer shall be appointed by the board of health and removable at its pleasure, and shall receive a salary at the rate of two thousand dollars per annum. The members of the board of health shall select one of their members as president, and the clerk to the examining and supervising board of plumbers and plumbing shall be the secretary of such board. Each member of the board of health shall have a vote on all questions.

§ 2. The board of health shall have power to establish regulations respecting the licensing and to license persons competent to practice midwifery and to prevent the practice of midwifery by any person in the city of Yonkers except those holding licenses therefor, issued by the board of health; to make regulations for the periodical vaccination of all persons; to prevent the bringing or coming into the city of persons infected with or suffering from contagious, infectious, or pestilential diseases, or who shall have been exposed thereto, or the dead bodies of such as shall have died therefrom; to prevent persons from visiting rooms or apartments of persons infected with such diseases, or of the attendance of such persons; to regulate the funerals and interments of persons who shall have died of such diseases; to prevent the bringing into the city of bedclothing or wearing apparel, or any merchandise which shall have been used by any person affected with such diseases. To remove or compel removal to a hospital, pest-house, or other place, or the seclusion of persons suffering with or who may have been exposed to such diseases; to take charge of and care for at the expense of the city, any persons who shall be affected with such diseases; to designate infected houses and districts; to prevent persons from entering or coming from infected houses or districts; to cause to be examined and disinfected all infected houses, buildings or districts; to inspect, regulate and compel the proper alteration, rebuilding construction and keeping clean of cesspools, vaults, drains, basins, water conduits, and other constructions affecting the public health; to compel all premises to be connected with public sewers; to compel the abatement, disuse and removal of vaults, drains, basins, water-conduits and cesspools; to cause any vault or cesspool to be cleaned or emptied, and to suppress, abate and remove any public nuisance detrimental to the public health; and, in addition to other remedies which it may possess

by law, the board of health is hereby empowered to issue its warrant, whenever necessary, to the sheriff of the county of Westchester, or to any policeman of the city, authorizing and commanding him to forthwith suppress, abate and remove such public nuisance; and the amount of the expenses incurred in cleaning or emptying any vault or cesspool, and abating or removing any public nuisance, when certified by said board of health to the common council, and filed with the city clerk, shall be paid by the common council, and such amount shall thereupon be and become a lien upon the lot or premises whereon such public nuisance existed, or said vault or cesspool was cleaned or emptied, with interest thereon from the date of payment, in favor of the city, and the common council may enforce the collection thereof by charging the same against said lot or premises as a tax, in the tax-roll of the ensuing year, or by action against the owner of the said lot or premises, or any person who may have created, permitted or maintained such public nuisance, or said vault or cesspool; to ascertain and declare the costs and expense of any work, care or other expense bestowed upon private persons or property, and to audit all bills and accounts for work, care or other expense bestowed upon or for private persons or property, or for medical care, attendants, and the support of patients cared for or supported in hospital, pest-house or elsewhere in the city, and return the same to the common council, which shall have power to maintain an action therefor in the corporate name of the city against any person liable for the payment thereof; to do all things meet and necessary to protect the lives and health of all persons in the city, in all sanitary matters; in addition to the powers herein expressly granted, to have and exercise all the powers now or at any time hereafter conferred upon boards of health in cities by any general law. And the board of health is hereby authorized and empowered to establish, make, publish, ordain, amend and repeal a sanitary code, and all such ordinances, by-laws, rules, orders, resolutions, and regulations as may be necessary to carry into effect the powers of said board; and to enforce observance of its sanitary code, ordinances, by-laws, rules, orders, resolutions and regulations, and each and every of them, made pursuant to law, by imposing penalties on any person or corporation violating the same, and upon the owner or occupant, or either of them, of the premises whereon any public nuisance or cause or promotant of disease or ill-health, or subject matter of offense may be, not exceeding in any one case of violation, two hundred dollars, and to maintain actions to be brought in the city court of Yonkers, or any court of competent jurisdiction, in the name of the board of health of the city of Yonkers, to recover such penalties, with costs, or to restrain, by injunction, such violations, or

both, or otherwise, to enforce such sanitary code, ordinances, by-laws, rules, orders, resolutions and regulations. Such penalty or penalties may be recovered and an injunction may be granted in the same action. In any of such actions brought in the city court of Yonkers, the said court shall have jurisdiction, and an injunction order therein may be granted by said court or the city judge, and said court shall have jurisdiction to grant and enter judgment perpetually enjoining and restraining such violation. Causes of action to recover two or more penalties for violation of the same sanitary code, ordinance, by-laws, rule, order, resolution or regulation may be joined in the same action. Whenever a judgment for money shall be recovered by said board of health in any of said actions, the person or persons against whom such judgment is recovered, in default of payment, may be imprisoned not exceeding ten days under execution against the person in the county jail of Westchester county, without jail liberty. Every sanitary code or amendments thereto, ordinances, by-laws, rule, order, resolution or regulation adopted by the board of health imposing any penalty or forfeiture for a violation of the same after its passage, must be subscribed by the secretary of said board, and published at least once in each week for two successive weeks in one of the official city newspapers. Personal service of any such sanitary code or amendments thereto, ordinances, by-laws, rule, order, resolution or regulation shall, in case of the person served, be equivalent to due publication thereof. All ordinances lawfully adopted by the common council, or by the board of health of the city, affecting the public health, shall be, and remain in full force until repealed.

§ 3. The board of health may prescribe the powers and duties of the health officer, in all sanitary matters, in so far as the same shall not conflict with his powers and duties, as the same are or may be prescribed by general statutes.

§ 4. The common council may lease or purchase a building for a hospital or pest-house, or may purchase a site and erect a hospital or pest-house thereon, and may purchase ground to be used for the burial of paupers, subject, however, to the limitations expressed in title six, section eleven, of this act. Whenever such hospital or pest-house shall have been leased or built, the board of health shall have power to make rules, ordinances and regulations for its management, for the admission and conveyance of patients thereto, and for the collection of expenses incurred for medical care, attendants and the support of the patients therein, or elsewhere in the city at the city's expense, and if the person so cared for or supported shall be a poor person not having visible property sufficient to pay the expense thereof, not exempt from execution, the parents, children or guardians, as the case may be, of the

person so supported and cared for shall be jointly and severally liable for his or her support and maintenance, and the city shall have a cause for action against the person or persons so liable, for the recovery of the expenses of such support and care, with costs. If the common council shall neglect or refuse to provide a suitable hospital or pest-house, when required by the board of health, such board may, whenever the necessity therefor exists for the protection of the public health, at the expense of the city, provide a temporary hospital or pest-house and maintain the same, until the necessity therefor ceases, or suitable provision is made by the common council. No building shall be leased, purchased or erected in the city for use as hospital or pest-house, or used for such purposes, without the sanction and approval thereof of the board of health.

§ 5. Every practicing physician in the city who shall attend a patient sick or attacked with any contagious, infectious or pestilential disease, in which there is danger of an epidemic, shall forthwith, upon discovery by him, make report thereof in writing to the health officer, and for neglecting so to do, shall be deemed guilty of a misdemeanor.

§ 6. The board of health of the city of Yonkers shall have power to regulate and prescribe plans and methods for plumbing and drainage of property situate in said city. Whenever said board of health shall so require, the drainage and plumbing of all buildings and of all premises of the city of Yonkers shall be done in accordance with the rules, regulations and requirements of the board of health in relation thereto, and in accordance with plans previously approved in writing by such board or person by it duly appointed for such purpose, after suitable drawings and description of the said plumbing and drainage in each case shall have been placed on file with the secretary of said board. The said board of health shall have power to make rules and regulations for the licensing of scavengers in said city, and whenever the said board of health shall make said regulations, no person shall carry on the business of scavenger, without first having obtained the license and conformed to the regulations provided by said board of health and any violation of this section shall be a misdemeanor and in addition shall subject the offender to a civil action for such penalty or penalties as the board of health shall prescribe.

§ 7. The common council shall annually set apart and appropriate such sum as it shall deem proper for the support, maintenance and work of the board of health for the ensuing fiscal year. Such sum shall be known as the board of health fund and shall be used only for the expense of work and performance of the duties imposed upon the board of health. It shall be drawn out

only by the warrant thereon by the mayor and city clerk upon the treasurer of said city by certificates furnished to them from time to time by the board of health that the amount is due to the person to whom payment is to be made.

TITLE X.

Of the Poor.

Section 1. All laws now in force not inconsistent with the provisions of this act, applicable to overseers of the poor in towns, shall apply to the commissioner of charities, and such commissioner of charities shall have and possess all powers which overseers of the poor of towns now have, or which may hereafter be conferred upon them.

§ 2. The common council may, by ordinance, prescribe the duties of such commissioner of charities in relation to the temporary aid and assistance to the poor, and may appropriate such moneys for such purpose as it shall deem proper.

TITLE XI.

Of the Department of Public Works.

Section 1. There shall be in the city of Yonkers a department of public works, and the head thereof shall be known as the commissioner of public works, who shall, at the time of his appointment, and during the term of his office, reside in the city of Yonkers. Within ten days after the passage of this act, the mayor shall nominate and by and with the consent of the common council appoint a commissioner of public works for a term of two years from May first, eighteen hundred and ninety-four. Whenever there shall occur a vacancy in the office of the commissioner of public works, the mayor shall nominate and by and with the consent of the common council appoint a commissioner of public works, to hold office for the term of two years from the first day of May next after his appointment. Each commissioner shall hold his office until his successor shall duly qualify. The said commissioner may be removed from his office for the same reasons and in the same manner as is now by law provided for the removal of other appointive officers of the city. The said commissioner of public works shall be an officer of the city, and shall receive an annual salary not to exceed five thousand dollars, to be paid by the city of Yonkers in equal monthly payments. The said commissioner shall, within ten days after his appointment, take the statutory oath of office and file with the common council a bond, in the sum of twenty-five thousand dollars, and with sureties to be approved by the mayor, for the faithful discharge of the duties of his office.

§ 2. The said department of public works is hereby charged with the exclusive control, care, maintenance, preservation and repair of the highways of said city and the roadways, sidewalks, docks, wharves, water courses, crosswalks, gutters, drains, bridges, sewers and culverts therein and said department is hereby invested with all the powers and the duties of commissioners of highways of towns as the same now are or hereafter may be defined by law, except that the said department shall not have power to extend any street or highway, or open or lay out any new street or highway, nor proceed to construct any new street or highway; nor construct any sewer in said city, nor to do any work for which an assessment can be levied under the charter of said city, nor to purchase any material, nor execute any contract for any work or material the total cost of which will exceed the sum of five hundred dollars, but all of such work shall be contracted for by the common council as is now provided by law and when such contracts have been awarded by the common council, the said department shall supervise, direct and control the construction and delivery thereof. All plans and specifications necessary for any work done in and about the sewers, highways, sidewalks, docks, wharfs, drains, water courses and bridges of said city shall be prepared by the department of public works and approved by the common council of said city. For the purpose of carrying out the provisions of this act the said department shall have the full power to enter upon any of the said highways and take possession of the same, and any part thereof, and to remove material therefrom, or to place material thereon.

§ 3. The word "highways" for all the purposes of this act include any and all of the streets, places, alleys, squares, lanes and roadways of the city.

§ 4. All excavations necessary in any of the highways of the city for any public or private purpose whatever except excavations made by the board of water commissioners of the city of Yonkers, shall be made under such rules and regulations as said department of public works may prescribe, and upon the payment of such fee or charges as it shall establish. Any person, board, commission or corporation, whether public or private, except the board of water commissioners of the city of Yonkers desiring to make any excavation or excavations in any of the highways of the said city shall apply to the said department for permission to make said excavation, and said department shall thereupon, in its discretion, permit said excavation to be made or do the same or any part thereof itself, at the cost and expense of the applicant; and the fees and charges for such permit and for doing the same or any part thereof shall be paid by the applicant in advance. Any person or persons, board, commission or corporation, whether public or

private, except the board of water commissioners of the city of Yonkers, who shall make any excavation or excavations in any of the highways in the said city except in the manner hereinbefore provided, shall be liable to a penalty of one hundred dollars for each and every offense to be sued for and collected by the city of Yonkers, and shall be deemed guilty of a misdemeanor.

§ 5. The said department shall have the power, and it shall be its duty to regulate the setting and location of telegraph, telephone and electric light and power poles, tie posts and horse blocks, and to remove them or any of them summarily, if, in the judgment of the said department, they interfere with the safe and full use of the highway by the public, and in case their owner or owners after reasonable notice refuse to remove them or change their location. And it shall also have power and it shall be its duty to regulate and control the planting and setting out of trees upon the streets and public places of said city; and in case any tree or trees become detrimental or destructive in said highways or interfere with the safe and full use of said highway the department shall have power to remove or prune the same. And the expense of the removal of any of the things provided for in this section shall be a charge against the person or corporation owning or operating any of the things hereinbefore mentioned.

§ 6. The said department shall establish an office at some convenient point in said city, and such department shall cause to be recorded full and accurate minutes of its proceedings, and copies of all orders given by it, and duplicates of all permits issued by it; and said records shall be received in any court of this state as proof of the fact that such orders have been made and such permits issued; in said office there shall be filed all plans, estimates, drawings and contracts made by such department; and copies of all plans, estimates, drawings and contracts, the supervision and control of which is imposed upon said department. All of the records of said department shall be open to public inspection, subject to such reasonable rules and regulations as may from time to time be made by the said department, and all books and papers appertaining thereto shall be the property of the said city. All machines, tools and implements now owned by the city for use upon the highways shall be in the possession and under the control of said department; and it shall be charged with their preservation and repair.

§ 7. Such department shall have power to employ and remove at pleasure such engineering, clerical and other help as may be necessary for the proper conduct of said department, and they shall receive such compensation as the head of such department shall prescribe. And the said department may require, of any of the persons employed by it, bonds for the faithful performance

of their duties, in such amount and with such sureties as the head of such department shall determine. The head of such department may designate any person employed in said department as deputy commissioner of public works, and the person so designated shall act as commissioner in the absence, sickness or inability of the head of said department. Neither the commissioner of public works nor any person employed in said department, shall be interested in any work done or supplies furnished in pursuance of any action of said department or of the common council of the city of Yonkers in reference thereto and any violation of this section shall operate to vacate the office of the person violating the same.

§ 8. It shall have charge of the general repair and cleaning of the highways of the city, the removal of ashes and garbage therein, the operation of the crematory, and shall have power to do said work by contract or otherwise as it shall deem proper; if it shall determine to do said work by contract it shall prepare plans and specifications for the proper doing of said work and present the same to the common council of said city, who may approve or reject the same; if approved the said common council shall advertise for at least two weeks in the city newspapers that it shall receive sealed proposals for the doing of said work according to the plans and specifications, on a day to be specified in said notice; and then the common council may award said contract to the most favorable bidder, giving such sureties as such common council shall prescribe, and in case such common council shall award said contract then the control and supervision of any such contract shall be in such department. It shall have full power and authority to compel the removal by action or otherwise of all encroachments and nuisances from any of the highways of the city, and shall also have power to regulate and control the deposit of building materials in the highways of the city, and to prescribe in each case the amount of space to be occupied.

§ 9. In order to place the highways of the city in a suitable condition the department shall have power and it shall be its duty forthwith to rebuild or repair such of the highways of the city as in the judgment of the department should be rebuilt or repaired, and in such manner and by the use of such materials as upon investigation it shall determine to be best for the interest of the city; but nothing in this section shall authorize the said department to do any kind of work for which an assessment is required by the charter of said city to be levied. And the common council may upon service upon the city clerk of an application signed by the head of the said department issue bonds of said city to be known as street improvement bonds to the

amount named in such application, not exceeding the sum of ten thousand dollars and payable at such time or times and at such rate of interest, not to exceed four per centum per annum, and of such denominations as the common council shall determine and to sell the same at not less than par value and to deposit the proceeds of such sale with the city treasurer to the credit of the "department of public works fund," subject to payment as in this act provided.

§ 10. Upon the first day of March of each year, after this act shall pass, the common council shall set apart such sum as it shall determine is necessary to perform the work of the department of public works for the ensuing fiscal year, which shall be known as the public works department fund. Such fund shall be used only for the care, repair, maintenance and control of the streets of the said city, and the expense of said department; it shall be drawn out only upon the warrant drawn by the mayor and city clerk upon the treasurer of said city by certificates furnished to them from time to time by the head of said department, that the amount is due to the person to whom payment is to be made; but in the discretion of the said department the pay-roll for labor performed on said streets and in and about the removal of ashes and garbage, and the operation of the crematory, may be paid to the head of the department, to be by him paid to the various persons so employed. No payment shall be made out of the public works department fund, notwithstanding such certificates, unless the claim for the payment as proposed, accompanied by the said certificate, shall have been presented to and audited by the mayor.

§ 11. The plans and specifications for all work done in said city for the payment of which assessments are levied upon the property benefited, shall be prepared by the said department, and all such work shall be under the supervision and control of said department, and the costs and expenses of the preparation of such plans and specifications, and the control and supervision of said work shall be paid by said department and certified by the said department to the common council of the said city, and the amount so certified shall be levied and assessed with the other expenses of said work upon the property benefited, in the manner now provided by law; and when the same is collected it shall be paid into the city treasury to the credit of the "department of public works fund," and the amounts so paid in may be used towards the paying of the expenses of the said department.

§ 12. All fees, charges and moneys collected by said department, and all penalties recovered for the violation of any provision of this act, or any of the rules or regulations of the said department of public works, or for any violation of the ordinance of the city

of Yonkers, heretofore passed, or that may hereafter be passed, in reference to the streets, highways or sewers of said city, shall be paid, when collected, into the city treasury, and the amount so collected shall be credited to the department of public works fund, and used for the payment of the expense of the said department.

§ 13. All contracts heretofore made relating to ashes and garbage, sewers, streets and other highway improvements in the city of Yonkers, except work contracted for by the board of water commissioners of said city in relation to the supply of water in and for the city of Yonkers, shall, on and after the passage of this act, be supervised, controlled and carried out by the said department of public works, and any sum that will be earned for such supervision by said department shall be paid into the city treasury and credited to said public works fund; and immediately upon the passage of this act the offices of the city surveyor and street commissioner of the city of Yonkers are hereby abolished.

§ 14. Whenever the said department shall certify to the common council that, in the judgment of said department, it is in the interest of the city of Yonkers that contracts for supplies or for performing work, or both, shall be entered into by taking private bids, or without more than a single bid for such supplies, or for the performance of such work, or both, then the common council shall have the power to authorize said department to make such contract, but nothing in this section shall apply to any work for which an assessment is levied under the charter of said city.

§ 15. The commissioner of public works may, at any time, enter upon any lands in the city of Yonkers for the purpose of surveying or doing any other work or inspection that may be necessary for planning or laying out any proposed public work or improvement. The department of public works shall, on the first days of January, April, July and October of each year make and present to the common council a report of all the work performed, expenditures made and moneys received by the department of public works during the quarter last past. The common council shall not pay for any work with the superintendence or supervision of which the department of public works is charged, unless the certificate of the commissioner of public works, certifying the amount due, shall have been first presented to the common council.

TITLE XII.

Miscellaneous.

Section 1. The town government of the town of Yonkers is hereby abolished, and all officers of said town having public moneys in their hands shall immediately pay the same into the

city treasury, and deliver to the city clerk all public books or papers in their possession. Such money may be recovered by the city to its own use by suit upon the official bond of such officers, or by other appropriate action. The city clerk shall be the successor of the town clerk of the town of Yonkers, and all papers, proceedings, books and records of the said town must be delivered to and remain in the possession of such city clerk. All papers, proceedings, books and records required by law to be filed in the town clerk's office of towns may be filed in the city clerk's office; the city clerk's office, in all respects not inconsistent with this act, standing in the place of the town clerk's office.

§ 2. The city, except as is otherwise in this act provided, shall be considered one of the towns of Westchester county, and all provisions of law not inconsistent with this act, applicable to towns in the county of Westchester, shall apply to said city; and all acts required by law to be performed by the board of town auditors in towns in said county, shall be performed by the common council.

§ 3. All notices to effect a lien upon property within the city under and by virtue of the mechanics' lien law, now applicable, or which hereafter may become applicable, to the county of Westchester, shall also be filed in the office of the city clerk. And no such lien shall be in force unless so filed.

§ 4. All actions brought to recover any penalty incurred under this act, or the ordinances, by-laws or resolutions made in pursuance of it, shall be brought in the name of the city of Yonkers, except as in this act otherwise provided; and in such action it shall be sufficient to complain generally, in writing, for such penalty or forfeiture, referring only to the title and section of this act, or to the article and section of the ordinances or by-laws, or to the resolution under which the penalty is claimed; and the defendant may deny generally in like manner, and either party may give in evidence, under such general pleading, any special matter that may be the subject of such claim for penalty, or that may be the subject of the defence.

§ 5. No person shall be incompetent as judge, justice or witness or juror by reason of his being an inhabitant or freeholder in the city in any action or proceeding in which the city is a party interested.

§ 6. No costs, fees, disbursements or allowance shall be recovered or inserted in any judgment against the city of Yonkers, or against any of its officers or authorized agents, where said city would be liable to respond to any such officers or authorized agents, unless the claim, whether arising on contract express or implied, or in tort, upon which such judgment is founded shall have been presented for payment to the common council of the city of Yonkers, at least sixty days before the commencement of

an action thereon. No bond or undertaking shall be required on the part of the city or any department, board or officer thereof in any action wherein the city, any department, board or officer thereof is a party. No execution can be issued on any judgment recovered against the city, but the common council within sixty days after the final recovery of any such judgment, must cause a warrant to be issued for the amount thereof, payable with interest, on the first day of March after the next annual tax levy; and it is hereby authorized to raise the amount necessary to pay such warrant with the interest thereon, by tax, in the next annual tax levy, in addition to such other sums as are authorized by law.

§ 7. The expenses of apprehending, examining, trying, and committing offenders against any law of the state in the city, and of their confinement, properly chargeable against the county of Westchester, shall be audited, allowed, and paid by the board of supervisors of said county in the same manner as if such expenses had been incurred in any town in said county.

§ 8. Any person who shall use, operate, manage or run any steam engine or steam boiler, without being thereto licensed, or who shall use, or keep for use, manage, run or operate any steam boiler until the same shall have been inspected, and its use permitted, or for any time beyond the time for which its use shall have been so permitted, shall be deemed guilty of a misdemeanor, but this section shall not apply to the boilers of railroad locomotives, or to locomotive engineers, nor to any person during any time when no provision exists for granting such licenses.

§ 9. The common council shall have power to provide for using the labor of persons sentenced in courts held by the city judge, and whenever it shall have provided for using such labor on the public works or streets of the city, or for the breaking of stone, or for using such labor in any other manner, it is the duty of the board of police for the city of Yonkers to enforce the performance of such labor and to care for the security of the persons so sentenced, while so at labor. When any person shall by any such court be convicted and sentenced as disorderly persons, and whenever any person shall be sentenced by such court for a term of imprisonment less than fifteen days, he may be sentenced to imprisonment and hard labor within the city, and in such case shall be committed to the care and custody of the said board of police, who shall safely keep such person for the term for which sentenced, in the prison under its charge, and at hard labor, as herein provided.

§ 10. The board of police of the city of Yonkers shall annually make out and cause to be verified, and presented to the board of

supervisors of the county of Westchester, an account of the expense of maintaining prisoners kept at hard labor in the city, the expenses of supporting all prisoners committed to the lock-up, keep or jail, under their charge, of apprehending persons charged with crime when the expense of such apprehension is a county charge, and an account of all persons committed to and conveyed by the officers of police to the county jail, the reasonable value of conveyance to such jail, and the value of services of officers so conveying them to jail, all of which shall be deemed county charges, and shall be by said board of supervisors audited, levied and collected as other county charges, and paid over to the treasurer of the board of police commissioners.

§ 11. The mayor, any alderman, or any police officer shall have power, at all times, to arrest or cause to be arrested, with or without process, any person who shall sell or give away strong or spirituous liquors, wines, ales or beer, within the limits of the city, contrary to law; habitual drunkards; persons found intoxicated in the streets, or engaged in quarreling or fighting, or immoderate riding or driving, or doing anything calculated to endanger persons or property in any of the streets or public places; persons refusing to assist in the extinguishment of fires, or to aid in protecting property thereat; vagrants, mendicants, beggars, common prostitutes, gamblers, persons gathered upon the public streets who refuse to disperse when commanded by any such officer so to do, in addition to those persons enumerated in the first section of title fifth, chapter twentieth of the first part of the revised statutes, all of whom shall be deemed disorderly persons. The said officers shall have power, with or without process, while in pursuit of such disorderly persons, to enter, or cause to be entered, any building or place, and upon the arrest of any such person, to take him before the city judge, to be dealt with according to law. In case the city judge for the time being can not be found, the officer arresting any such offender may detain him in custody, or commit him to the county jail, or any other convenient place of safe-keeping, until such city judge can be found, not to exceed twenty-four hours. Any such officer shall have power to command assistance whenever he shall deem it necessary.

§ 12. When corporations, associations, copartners, joint tenants, or tenants in common, are to be served with a notice or process under any provision of this act, it shall be deemed a sufficient and legal service of such notice or process to serve a copy thereof upon the president, cashier, treasurer, one of the directors, or the managing agent, of such corporation or association, or upon any one of such copartners, joint-tenants or tenants in common.

§ 13. The affidavit of the editor or publisher of a newspaper, or of his foreman or principal clerk, showing publication in such newspaper of any notice, by-law, resolution, or other matter required by this act to be published in a newspaper, may be read in evidence, and shall be presumptive evidence of the publication of the matter stated therein; and when such affidavit shall have been filed with the city clerk, copies thereof, certified by him, may be read in evidence with like effect as the original.

§ 14. Copies of all papers filed in the office of the city clerk, transcripts from the records of the proceedings of the common council, and copies of the ordinances or by-laws of the city, certified by the city clerk under the corporate seal, and copies of the records of the board of health, and of ordinances adopted by it, certified by its secretary, shall be evidence in all places and in all courts, in like manner as if the originals were produced and proved.

§ 15. The ordinances, by-laws and resolutions of the common council, and the sanitary code, ordinances, by-laws, rules and resolutions of the board of health, may be read in evidence from the volume of the same, printed by authority of the common council or of the board of health.

§ 16. The common council shall not audit or pay any account for services rendered, material furnished or disbursements made, unless such account be made out in items and accompanied with an affidavit attached thereto, made by the person or one of the persons claiming the same, that the items of such account are correct, that the services, disbursements and materials charged therein have been made and rendered, and that no part thereof has been paid or satisfied.

§ 17. The mayor with the consent of the common council may appoint twenty-five commissioners of deeds, residing in the city. A certificate of their appointment, attested by the city clerk under the corporate seal, stating when the term of office of such commissioners will cease, shall be filed with the county clerk of the county of Westchester, and their oaths of office must be taken before and filed with him. Such commissioner of deeds shall possess the same powers and be entitled to the same fees as commissioner of deeds in cities. They shall have power to execute the duties of their office at any place within the county of Westchester. They shall hold their office for two years from the date of their appointment, unless such office shall meanwhile become vacant. Any commissioner of deeds may be removed from office for cause, by a three-fourth vote of all the members of the common council. In case of vacancy in such office, the city clerk shall so certify, under the corporate seal, to the county clerk of Westchester county. Any such vacancy may be filled for the

full term of two years, by appointment as aforesaid. The commissioners of deeds now in office shall continue in office for the term for which they have been respectively appointed.

§ 18. The mayor shall nominate and with the consent of the common council appoint the commissioners of excise for the city, who shall hold their office and perform all the duties enjoined upon commissioners of excise as provided by law.

§ 19. All taxes and assessments which have heretofore been imposed, laid, levied, assessed or confirmed in accordance with law in the late village of Yonkers, or in the city of Yonkers, are legal first liens upon the particular lot, piece or parcel of land against which the same were laid, imposed, levied or assessed and confirmed.

§ 20. The real estate belonging to the city, except lands purchased by the city at sales for unpaid taxes or assessments, shall be exempt from all taxes, but not from assessments in the city for local improvements.

§ 21. The word "person" shall be construed to include persons, and the word "corporation" to include corporations.

§ 22. This act is hereby declared a public act, and shall be construed favorably for any beneficial purpose therein contained.

§ 23. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 24. This act shall take effect immediately.

HAMILTON FISH,

Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheffield, Int. No. 1254, entitled "An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York,'" reported in favor of the passage of the same, without amendment, which report was agreed to (Mr. Keenan dissenting), and said bill placed on the order of second reading.

Mr. Davidson moved that said bill be recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wray, Int. No. 1320, entitled "An act to authorize the making of compensation for damages to

property occasioned by the change of grade of streets adjacent thereto in the Eighth ward of the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wray, Int. No. 1294, entitled "An act in relation to New York avenue in city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wells, Int. No. 1302, entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of schoolhouses and the payment of debts contracted for the purchase of land for school purposes," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Finnigan, Int. No. 1371, entitled "An act to provide for the grading and other improvements of certain park lands in the city of Brooklyn and to provide the means therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wells, Int. No. 1304, entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Carroll, Int. No. 1238, entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany, as amended by chapter 198 of the Laws of 1892,'" reported in favor of the passage of the same, without amendment,

which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gleason, Int. No. 753, entitled "An act to amend chapter 391 of the Laws of 1893, entitled 'An act for the protection of purchasers of coal in cities of over 800,000 inhabitants and under 1,200,000 inhabitants, and providing for the enforcement thereof,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1325, entitled "An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Plant, Int. No. 1348, entitled "An act in relation to Pierrepont street, and Remsen street in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Butts, Int. No. 1358, entitled "An act for the relief of certain churches in the Twenty-third ward of the city of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. H. Clark, Int. No. 418, entitled "An act to enable the city of Niagara Falls to acquire such lands as may be necessary to extend Pierce avenue in said city from Whirlpool avenue easterly to Sugar street," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stein, Int. No. 1233, entitled "An act to provide for the assessment and collection of the

expense of removal of snow and ice from the sidewalks of public streets and avenues in the city of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fuller, Int. No. 1200, entitled "An act to revise the charter of the city of Watertown," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Grady, Int. No. 1387, entitled "An act to incorporate the Childrens' Aid Society of Rochester," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. O'Connor, Rec. No. 296, entitled "An act relating to the construction of a viaduct over the railroad tracks where the same intersect the line of Chenango street, in the city of Binghamton," reported in favor of the passage of the same, with the following amendments :

Page 4, section 5, line 26, change the word "portion" to the word "approach."

Page 6, section 7, strike out the words "land" or "lands" and insert the words "real property" wherever it occurs in line 19 and in lines 1, 2 and 26 on page 7, same section.

Page 16, section 13, at the end of the section insert the words "which sum and interest thereon shall be a lien prior to all other liens except other taxes upon all the real property of such corporation or corporations within said city from the time of the entry of the order until paid, and the collection thereof may be enforced by said city in the same manner that taxes and assessments are now collected in said city."

Page 16, substitute the following for section 14 :

"§ 14. The commissioners appointed under this act shall make or cause to be made and furnished to the treasurer of said city a description of the real property of each of such private corporations within the corporate limits of said city, and the order fixing and determining the proportionate share of the cost and expense of said work to be paid by each of said private corporations shall be and shall be deemed to be an assessment-roll for local improvements against each of the corporations therein named respectively, and upon and against all of the real property so

described by such corporation, and an assessment against such corporation and upon and against such real property of the amount directed to be paid by each of such corporations respectively. In case of failure of any corporation to pay its proportionate share of said expense as fixed by said order within thirty days from the date of the services of the same upon such corporation, the treasurer of said city shall, if the common council of said city by resolution so direct, proceed to collect the same together with the interest thereon as herein provided, in the manner and by the procedure relating to street opening cases so far as the same may be made applicable thereto prescribed in title 7 of chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton' and acts amendatory thereof."

Page 17, section 15, line 15, after the word "corporations" insert the words "to be approved by the mayor of said city."

Same page, same section, line 16, after the word "no" insert the words "limitation of time."

Same page, same section, line 19, strike out the words "must be entered in to within such reasonable time as."

Page 20, section 22, line 18, strike out the word "immediately."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keenan, Int. No. 1079, entitled "An act to amend chapter 576 of the Laws of 1893, entitled 'An act relative to the waterworks department of the city of Troy, and to provide for an increased supply of water in said city,'" reported in favor of the passage of the same, with the following amendments:

Between sections 1 and 2 of printed bill insert two new sections, to read as follows:

§ 2. Section 6 of said chapter 576 is hereby amended so as to read as follows:

§ 6. The said corporation counsel shall give notice of the time and place at which said petition will be presented, and of his intention to make application as aforesaid, by the publication thereof twice a week for three weeks successively in the daily official newspapers of said city, and at least twice in two weekly newspapers published in the county of Rensselaer; and he shall in addition to such advertisement cause copies of the same, in the form of handbills, to be posted up for at least ten days prior to the making of the application, in at least three conspicuous places in each town in which is situated any real estate or other property which it is sought to acquire for the purposes of this act. The

publication and posting of such notices as aforesaid shall be deemed notice of said application to all persons who are in any way interested in the real estate, rights or easements sought to be acquired or affected. The said notice shall contain a statement of the time and place of the filing of the said petition, and also a reference in brief terms to the ponds, reservoirs and streams which it is proposed to acquire or which shall be affected by the said plans and of the route of the proposed conduits and water pipes for the collection and introduction of the increased water supply, together with a reference to the dates and places of filing the said maps, all of which shall be a sufficient reference to and description of the real estate and other rights and property sought to be taken, or which is affected by the proceeding. After such notice is so published and posted any change of ownership of the real estate or other rights or interests to be acquired or affected, or any addition to or change of incumbrance upon the same shall not affect such proceedings, but the same shall be carried on and perfected as if no such change or addition had been made, except that the commissioners of appraisal may take the same into account if their attention is called thereto in the manner provided by section 10 of this act.

§ 3. Section 7 of said chapter 576, is hereby amended to read as follows:

§ 7. At the time and place mentioned in said notice, unless the court shall adjourn the application to a subsequent day and in that event, at the time to which the same may be adjourned, or unless the court shall fail to meet at such first named day, then at the next special term regularly appointed to be held thereafter, the court, upon due proof of the publication and posting as aforesaid upon filing the said petition, shall make an order for the appointment of three disinterested and competent freeholders as commissioners of appraisal to ascertain and appraise the just compensation to be made to the owners and all persons interested in the real estate and other property indicated on said maps and plans which is proposed to be taken or affected by or for the purposes mentioned in this act. None of said appraisers shall be residents or owners of property in the towns in which any such real estate or other property is situated, but no person shall be disqualified to act as a commissioner of appraisal because he is an inhabitant or freeholder in the city of Troy. The said order shall fix the time and place of the first meeting of the commissioners; such first meeting shall be held in the city of Troy, but thereafter the said commissioners are authorized to hold meetings in any place in the county of Rensselaer. The said order shall be filed in the clerk's office of the said county. The corporation counsel shall cause the said order to be published at least twice in the official newspapers of said city; and such publication shall be held to be notice of the granting of said order and of the time and place for the meeting of

said commissioners, to all persons who are in any manner interested in or affected by the said proceedings, or who may have claims to present to the said commissioners of appraisal as provided by section 10 of this act.

Page 3, line 1, strike out "§ 2" and insert "§ 4."

Page 4, between lines 23 and 24, insert a new section in the words following :

§ 5. Section 26 of said chapter 576 is hereby amended so as to read as follows :

§ 26. The said board of water commissioners and its officers, agents and contractors are authorized to enter upon and make excavations in the public roads, highways and bridges in, through or across which any pipes, conduits and aqueducts are to be laid, without molestation from any quarter; but they shall restore the same to their former state of usefulness without unnecessary delay. They are also authorized, if they deem it necessary in the adoption and carrying out of their plans, to embrace any portion of any public road or highway within the lands and real estate sought to be acquired or condemned as provided in this act, and to acquire title thereto and to construct necessary works thereon; but the said board shall make provision for continuing such public road or highway so acquired or taken, either upon some other portion of the lands and premises which the city of Troy shall acquire under this act, or by paying to the proper town board or officers, a sum or sums sufficient for them to continue and open up such road or highway through and upon other lands in the vicinity thereof, and the said board shall enter into negotiations with the proper officers for that purpose; and in case the said board and such officers or other persons interested in the premises shall fail to agree in the matter, then the said commissioners of appraisal shall take cognizance thereof and shall have power to adjudicate and make suitable awards and compensation in the premises. The officers who, under existing laws, have control or jurisdiction over any such public roads or highways are hereby authorized to enter into such negotiations and to make agreements relative to said matters and to accept such new and substituted roads or highways and to continue, lay out or open new ones in the place and vicinity of such roads or highways as may be taken or acquired under this act.

Change sections 3 and 4 in printed bill to sections 6 and 7, respectively.

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Wells, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Chambers, Int. No. 1140,

entitled "An act to establish and maintain a police force in the city of Troy," reported in favor of the passage of the following substitute therefor:

AN ACT to establish and maintain a police force in the city of Troy.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. For the purpose of establishing and maintaining a body of police in the city of Troy, there shall be constituted a board of police commissioners and a police force, as herein provided.

§ 2. The powers and duties connected with and incident to the police government of the said city, as are hereafter more particularly provided for, shall be vested in and exercised by a board of police commissioners and by a police force composed of a superintendent of police, captains of police, sergeants of police, detectives of police, patrolmen and supernumeraries of police, a police clerk, a surgeon of police and police station-house keepers.

§ 3. Within ten days after the passage of this act the common council shall meet and shall proceed to nominate four persons as police commissioners of the said city of Troy; said nominations shall be made to the mayor of said city. Within five days thereafter said mayor must appoint said four persons so nominated as police commissioners of the said city of Troy, who shall hold their office until the Tuesday succeeding the second Monday of November in the year eighteen hundred and ninety-four, and until their successors shall be nominated and appointed. In voting for the said four persons to be nominated and appointed as such police commissioners, two of such police commissioners shall be nominated solely by the members of the common council representing that political party which cast in the city of Troy at the last preceding general election the largest number of votes. The remaining two of such police commissioners shall be nominated solely by the members of the common council representing that political party which cast in the city of Troy, at the last preceding general election, next to the largest number of votes; and the two persons receiving the largest number of votes from the members of the common council representing one of the political parties above named, and the two persons receiving the largest number of votes from the members of the common council representing the other of the political parties above named, shall thereupon be immediately declared nominated as the said four police commissioners. The clerk or acting clerk of the common council must within one day thereafter notify said mayor of said nominations. The common council shall not transact any other

business until the said four police commissioners shall have been nominated and appointed. At a meeting of the common council of the city of Troy, to be held on the Tuesday succeeding the second Monday of November, in the year eighteen hundred and ninety-four, the said common council shall proceed to nominate four persons as police commissioners of the said city of Troy, two to hold office for a term of two years and two to hold office for a term of four years. In voting for the said two persons to be nominated police commissioners for a term of two years, one of such police commissioners shall be nominated solely by the members of the common council representing that political party which cast in the city of Troy, at the last general election, the largest number of votes, and the other of such police commissioners shall be nominated solely by the members of the common council representing that political party which cast in the city of Troy, at the last preceding general election, next to the largest number of votes; and thereupon the two persons so nominated shall be immediately declared nominated as the said two police commissioners who shall hold office for a term of two years. The said common council shall immediately thereafter proceed to nominate two police commissioners whose terms of office shall be four years. In voting for the said two persons to be nominated police commissioners for a term of four years, one of such police commissioners shall be nominated solely by the members of the common council representing that political party which cast in Troy, at the last preceding general election, the largest number of votes, and the other of such police commissioners shall be nominated solely by the members of the common council representing that political party which cast in the city of Troy, at the last preceding general election, next to the largest number of votes, and the two persons so nominated shall thereupon be immediately declared nominated as the said two police commissioners who shall hold office for a term of four years. If the said meeting of the common council should be adjourned without the said four police commissioners being nominated, the said common council shall proceed, at its next meeting, with the said nomination; and the said common council shall not transact any other business until the said four police commissioners have been nominated and appointed. The clerk or acting clerk of the common council must within one day thereafter notify said mayor of said nominations. The common council shall, every two years after the said second appointment of said four persons, nominate, in like manner, two persons as police commissioners to fill the office of the two commissioners whose term of office is about to expire, and thereafter

the term of office of the said police commissioners shall be for four years. In case of a vacancy in said board of police commissioners by death, resignation, removal from office or otherwise, the said vacancy shall be filled as follows: Those members of the common council belonging to the same political party as that of the said late commissioner, shall at the next regular meeting of the said common council nominate a person as a police commissioner from the same political party as that of the commissioner whose unexpired term he shall be nominated and appointed to fill. Until such vacancy is filled in the manner herein provided, and the person chosen to fill such vacancy has taken the oath of office, and filed the same as herein provided, the board of police commissioners shall not have power to remove or appoint any member of the police force named in section twelve of this act. No person shall be elected to or hold the office of police commissioner who holds any other office named in this act or in the charter of the city of Troy.

§ 4. The city clerk shall immediately notify the persons appointed police commissioners of the said city, of their appointment, and shall deliver to each of them a certificate of his appointment, and within five days after receiving such notice and certificate, the said persons shall each take the constitutional oath of office, and shall file the same with the clerk of said city. The said police commissioners, upon this notice being given to each of them, shall meet at the city hall within five days after the said commissioners shall have filed their oath of office with the clerk of said city, and shall organize as the board of police commissioners of the city of Troy. The chief officer of the board shall be a president, who shall hold his office for one year, and until his successor, as such president, shall be elected, except that the president who shall be elected at the first organization of the board of police commissioners shall hold his office until the Tuesday after the second Monday of November, in the year eighteen hundred and ninety-four, and until his successor, as president, shall be elected. At the first meeting of the board of police commissioners which shall be first appointed, the said police commissioners shall elect a president of the said board, and thereafter the said commissioners shall annually elect a president of the said board. Upon the organization of the said board of police commissioners the said commissioners shall be vested with all the powers and duties as are herein conferred upon the board of police commissioners of the city of Troy.

§ 5. At the expiration of thirty days from the termination of the ten days fixed for the meeting of the common council of said city to nominate four police commissioners of the

said city of Troy, the offices, powers and duties of the commissioners of the police board of the city of Troy, existing at the time of the passage of this act, shall absolutely cease and terminate, and they shall be discharged from duty. On the fifteenth day, at noon, after the newly-constituted commission shall be constituted and empowered to act, the entire police force of the city of Troy shall be abolished and go out of office. It shall be the duty of said police commission to appoint a new police force, which shall go on duty immediately upon the retirement of the old force. The said board of police commissioners shall have power and it shall be their duty to examine all persons who may apply for appointment and who shall be appointed to places in the police department under this act, as to their fitness and qualifications, and for such purpose they are constituted a local civil service board of examiners. Except as provided above, the existing civil service laws of this state relative to the examination and appointment of persons applying for public office or place, and also the civil service rules and regulations heretofore adopted and now in force in the city of Troy, shall be applicable to and shall govern appointments in the said Troy police force. The said board may appoint one or more competent resident physicians and surgeons to conduct physical examinations of persons who shall apply for such appointments and may fix their compensation, not exceeding ten dollars per day each, to be paid from the city treasury.

§ 6. A majority of the said commissioners shall form a quorum for the transaction of business.

§ 7. No salary shall be attached to the office of a police commissioner.

§ 8. The common council of the said city is hereby authorized and required to raise, annually, by tax on the freeholders and inhabitants of said city, and the taxable property therein liable to taxation, the sum necessary to defray the salaries and expenses of the police force hereby created.

§ 9. The common council of said city shall provide, at the expense of said city, all necessary accommodations in the station-houses within each police precinct required by said board of police for the use of the police force of such precincts, and for the lodging of vagrants and disorderly persons, and for the temporary detention of persons arrested for offenses.

§ 10. The said board of police commissioners shall be, by virtue of their office, excise commissioners of the city of Troy, and shall possess the powers conferred, and discharge the duties imposed upon, boards of excise in cities by law, and there shall be no other board of excise in said city. All fees for licenses issued by said board of police commissioners acting as such board of excise in

the said city of Troy, and all excise fines and penalties provided for by law, shall be received by said board of police commissioners, and shall be paid to the chamberlain of said city of Troy monthly, for the use and benefit of the poor fund of said city, and toward paying the expense of maintaining the poor of said city. The said board of excise shall have power to appoint a clerk of said board, at an annual salary not exceeding one thousand dollars, payable quarterly; but no compensation shall be paid to said commissioners of police for acting as such commissioners of excise.

§ 11. The said board of police commissioners shall keep a record of its proceedings, and all the books and papers belonging to the said board shall be at all times open to the inspection of the public.

§ 12. The said board of police commissioners shall have exclusive power to appoint a superintendent of police, three captains of police, three police detectives, one of whom shall be the chief detective, nine sergeants of police, patrolmen not to exceed eighty in number, a police clerk, who shall also be secretary to the board of police commissioners and police property clerk, a surgeon of police and three station-house keepers. The said board of police commissioners shall also have power to appoint supernumerary patrolmen, not to exceed five in number. The board shall assign the members of the police force to the different precincts.

§ 13. The said board of police commissioners shall, whenever expedient, and on the application of a corporation, or person or persons, showing the necessity thereof, detail regular patrolmen of the police force, or appoint and swear any additional number of special patrolmen to do special duty within the said city, the person or persons by whom the application shall be made paying to the said patrolmen so detailed a sum of money not exceeding the actual cost of the said detail for special duty. The patrolmen so additionally and specially appointed shall be subject to the orders of the superintendent of police, and shall obey the rules and regulations of said board of police commissioners and conform to its general discipline, and to such special regulations as shall be made, and shall wear such dress and emblems as the said board may direct, and shall, during their term of holding such appointment, possess all the powers and privileges and discharge all the duties of patrolmen of the police force, or such special duties as may be assigned to them by the board of police commissioners, and they may be removed at any time by the said board without cause assigned therefor, upon notice to the person or persons who applied for the appointment as aforesaid. The said supernumerary patrolmen, who shall not exceed five in number, shall only be appointed by the said board of police com-

missioners for the purpose of temporarily filling the place and discharging the duties of the regular patrolmen who may be absent from duty from time to time, and while on duty shall possess the same powers and be subject to the same duty and discipline as regular patrolmen, and they shall receive such pay as the board of police commissioners may determine, not exceeding the per diem pay of regular patrolmen, but the number of patrolmen, including acting supernumerary patrolmen, shall not exceed eighty-five.

§ 14. The superintendent of the police shall receive an annual salary not exceeding eighteen hundred dollars. Each captain of police shall receive an annual salary not exceeding one thousand dollars. Each sergeant of police shall receive an annual salary not exceeding nine hundred dollars; and each patrolman shall receive an annual salary not exceeding eight hundred and fifty dollars; and each station-house keeper an annual salary not exceeding five hundred dollars. The chief detective shall receive an annual salary not exceeding one thousand four hundred dollars, and the two other detectives shall receive an annual salary not exceeding one thousand dollars. The police clerk, who shall also be secretary to the board of police commissioners and also police property clerk, shall receive an annual salary not exceeding one thousand dollars. The police surgeon shall receive an annual salary not exceeding four hundred dollars. The sum of one hundred dollars shall be annually set apart for messenger service. The said salaries, in part, shall be paid monthly by the chamberlain of said city to each person entitled thereto, in modes to be prescribed by the rules and regulations of the board of police commissioners, subject to such deduction each month from the salary or pay of members of said police force as the said board shall make to satisfy fines imposed on any member of said force by way of discipline or punishment, and as prescribed by the rules and regulations of the said board of police commissioners. The said board of police commissioners shall annually fix the salaries of said officers, patrolmen and employes of said police force.

§ 15. The said board of police commissioners, for meritorious and extraordinary services rendered by any member of the police force in due discharge of his duty, may permit any member of the police force to retain, for his own benefit, any reward or present tendered him therefor; and it shall be proper cause for removal from said force for any member thereof to receive any such reward or present without giving notice thereof to the said board. Upon receiving such notice the said board may either order said member to retain the same or pay it over to the chamberlain of said city.

§ 16. All fines imposed by the board of police commissioners

upon members of the police force, by way of discipline, and collectible from pay or salary, and all rewards, fees, proceeds of gifts and emoluments that may be paid and given for extraordinary services of any member of the police force (except when allowed to be retained by such member), and all moneys remaining for the space of one year in the hands of the property clerk, arising from the sale of unclaimed goods, and all proceeds of suits for penalties under this act, shall be paid over to the chamberlain of the said city of Troy.

§ 17. The board of police commissioners shall appoint all the members of the said police force, and whenever vacancies occur in said force, or further or additional members to said force are required according to the provision of this act, such vacancies shall be filled and such additional members made by appointment by the said board. All officers and members of the Troy police force, subject to removal for cause hereinafter specified, shall hold their offices during good behavior, or as each shall well and faithfully observe and execute all the rules and regulations of the said board, the laws of the state and the ordinances of the city of Troy. Every trial, hearing, investigation, inquiry or proceeding before the board of police commissioners, into or in relation to the conduct of any member of the police force, shall be conducted publicly, and any person or persons shall have the right to attend and hear the same, and no member of said police force shall be removed from his office without having written charges preferred against him, and the same having been publicly heard and examined by the said board after due notice thereof to him by the said board. No person shall be appointed to any office or place in the said police force of the city of Troy who has not been for at least five years a citizen of the United States, or who has ever been convicted of crime, or who can not understandingly read and write in the English language, or who shall not have resided in the state during one year preceding his appointment, or who is not a resident of the city of Troy, and removal from the city shall of itself create a vacancy in the office or place.

§ 18. The superintendent of police, appointed according to the provisions of this act, shall be the chief executive of the Troy police force, and he shall obey, and cause the force under him to obey and execute the law and the rules and regulations that may, from time to time, be established by the said board of police commissioners, in accordance with the provisions of this act.

§ 19. The board of police commissioners shall have the charge of organizing and directing a detective staff, of not more than four persons, which staff shall, from time to time, be selected, designated and detailed for services connected with the prompt

detection, and to aid in the punishment of crime, and in such manner as the board of police commissioners may direct; the said selection to be made from the members of the police force.

§ 20. The board of police commissioners may, also, upon any emergency or apprehension of riot, pestilence, invasion or other disturbance, appoint as many special patrolmen, without pay, from among the citizens, as it may deem desirable; and during any day of public election it may appoint, to perform duty in the said city of Troy, so many special patrolmen as may be required to keep order and enforce the law during such election, who may be paid for their services, as such special patrolmen on such day, two dollars each out of the police fund to be raised in said city; provided, however, that each special patrolman so appointed shall, at the time of his appointment, make an oath, before a commissioner or the superintendent of police, that he will not interfere in any manner with the election taking place on the day for which he is appointed, otherwise than by depositing his own vote, and that he will protect all persons in exercising their legal right to vote at such election, and arrest such persons as attempt to vote illegally, and such persons as, illegally obstruct and interfere with those having the right to vote at such election; and providing that such pay may be withheld, and he may be duly prosecuted as for a misdemeanor, if the terms of said oath be violated; and during the term of service of any special patrolman authorized as aforesaid, he shall possess all the powers and privileges, and perform all the duties of a patrolman of the standing force, and he shall wear such emblem as shall be prescribed and furnished by said board of police commissioners. And on every public election day in said city special rules shall be made by said board of police commissioners governing the conduct and prescribing the duties of all members of the police force, including patrolmen specially appointed, if any, who shall be assigned to duty at any of the polling places in said city, and these special rules shall exclusively control during the day of such election the conduct of the members of the police force assigned to duty at such polling places. And it shall be the duty of said board of police commissioners to designate and appoint, from the police force of said city, at least ten days before every public election day, those persons who shall serve at each of the polling places of said city, and no other person or persons shall have the power to make such designation or appointment.

§ 21. No member of the police force, under penalty of forfeiting the salary or pay which may be due him, shall withdraw or resign, except by permission of the said board, unless he shall

have given to the superintendent of police one month's notice, in writing, of his intention to do so.

§ 22. The said board of police commissioners shall, at all times, whenever consistent with the rules and regulations of said board and with the requirements of this act, furnish all police information desired by the common council of said city.

§ 23. The said board of police commissioners shall have the power to issue subpoenas, attested in the name of its president, to compel the attendance of witnesses upon any proceeding authorized by its rules and regulations. Each commissioner of police and superintendent of police is hereby authorized and empowered to administer oaths and affirmations to any person appearing in any matter or proceeding authorized as aforesaid, and to take any depositions necessary to be made under the rules and regulations of said board for the purposes embraced in this act; and any willful and corrupt false swearing by any witness or person to any material fact in any necessary proceeding, under the rules and regulations of this act, shall be deemed perjury, and be punishable in the manner now prescribed by law for that offense; and in case any person subpoenaed under this section shall fail or refuse to obey subpoena, or refuse to take, when required, the proper oath or affirmation, or to answer any proper question, upon the presentation of satisfactory proof of the same to a justice of the supreme court or the judge of Rensselaer county, it shall be the duty of the justice or judge to whom such presentation shall have been made, to issue an order, returnable before him at an early day, requiring the person so failing or refusing to show cause why an attachment should not issue against him, and to adopt such other and further measures to compel the person to appear and testify, and to punish disobedience, as if the matter were pending in an action or proceeding in the supreme court or in the county court of said county.

§ 24. The said board of police commissioners, in furtherance of the police government of the said city of Troy, and for promoting and perfecting the police discipline of subordinates and of the members of the said police force, is empowered to enact, and, from time to time, to modify and repeal by-laws, ordinances, rules and regulations of general description, wherein, in addition to such other provisions as said commissioners may deem expedient, there shall be particularly defined, enumerated and distributed the powers and duties of the superintendent of police and captains of the police force, of the clerks of said police and of all other members of said police force; and wherein shall be specified the modes of appointment to and removal from office of members of said police force, and the manner of discipline of said police, provided that such by-laws, ordinances, rules and regulations shall not

conflict with any of the provisions of this act, or with the constitution of the United States, or that of this state. Nothing in this act shall be so construed as to prevent the said board of police commissioners from summarily arraigning and trying any member of said police force, supernumerary, or clerk, surgeon or detective under said board of police commissioners, for insubordination, disobedience of orders, rules or regulations or neglect of duty, or for intoxication or misbehavior. The charge shall be stated to said delinquent in writing, and if, on investigation, the charge shall, in the opinion of the said board of police commissioners, or a majority of them, be sustained, the said board shall have power, and it shall be their duty to dismiss such persons from service and to appoint another person in his stead, anything in this act to the contrary notwithstanding. No police officer to whom is entrusted for service any warrant, and no station-house keeper shall engage counsel for the complainant or the defendant in any criminal action or proceeding, or shall compromise or settle the matter to which any warrant relates, nor shall any officer into whose custody any prisoner is delivered to be taken to the county jail receive from such prisoner, or from any other person, the fine which may have been imposed on such prisoner; nor shall any member of the police force receive or solicit any subscription, or other valuable thing, for the purpose of making a gift or testimonial to any commissioner or to any member of the force; and any officer who shall violate any of these provisions shall be tried and, if guilty, shall be forthwith removed from his position by the said board of police commissioners.

§ 25. It is hereby made the duty of said police force, at all times of the day and night, within the said city of Troy, and the members of said force are accordingly hereby thereunto empowered, especially to preserve the public peace, prevent crime, detect and arrest offenders, suppress riots and insurrections, protect the rights of persons and of property, guard the public health, preserve order at every primary and public election, remove nuisances from public streets, and public and private alleys, roads, places and highways; repress and restrain disorderly houses and houses of ill-fame; to arrest all street beggars and mendicants; to provide a proper police attendance at every fire, in order that thereby the firemen, fire engine and property exposed may be suitably protected and assisted; to assist, advise and protect emigrants, strangers and travelers in public streets and at landings of ferry and steamboats, river boats and canal boats, and at the union depot and all railway stations; enforce every law relating to the suppression and punishment of crime, or the observance of Sunday, or regarding pawnbrokers, emigrants, or elections, or

gambling, or intemperance, or lotteries, or lottery policies, or vagrants, or disorderly persons or houses of ill-fame, or the public health, or any ordinance or resolution of the common council of said city, applicable to police, health or criminal procedure. It shall be the duty of any member of the police force, when called upon by any inspector of election so to do, at any election to be held hereafter in said city of Troy, to arrest forthwith, without a warrant, any person voting fraudulently, or attempting to vote fraudulently at such election. Any member of the police force who shall willfully neglect or refuse to make such arrest when so requested as aforesaid, shall be removed from said force by said police commissioners. The superintendent of police must, at least five days, and not more than ten days, before each and every election held in the city of Troy, incorporate in his general orders to the police force a notice to the effect that each and every member of the police force is required to arrest any person voting fraudulently, or attempting to vote fraudulently, at any election, when such arrest is requested by an inspector of election.

§ 26. Any member of the said police force shall have power and authority, immediately and without process, to arrest and take into custody any person who shall commit or threaten or attempt to commit, in the presence of such member, or within his view, any breach of the peace or offense directly prohibited by act of legislature, or by any ordinance of the city, the violation of which is a penal offense; but such member of the police force shall, immediately upon such arrest, convey, in person, such offender before the nearest magistrate, that he may be dealt with according to law.

§ 27. No person holding office under this act shall be liable to military or jury duty, or to arrest on civil process or to service of subpoena from civil courts, while actually on duty.

§ 28. The said board of police commissioners is authorized, from time to time, to provide suitable accommodations for the detention of witnesses within said city who are unable to furnish security for their appearance in criminal proceedings, and such accommodations shall be in rooms other than those used for the confinement of persons charged with crime, fraud or disorderly conduct, and it shall be the duty of magistrates in committing witnesses to have regard to the rules and regulations of said board in respect to their detention.

§ 29. The said board of police commissioners may suspend from pay or duty, or both, any member of the said force, but not longer than thirty days from pay at any one suspension.

§ 30. The said superintendent of police shall make to the said board of police commissioners quarterly reports, in writing, of the condition of the police force, with such statistics and suggestions

as he may deem advisable, to submit for the improvement of the police, and government and discipline of the said force. The said board of police commissioners, on or before the first Monday of December in each year, shall make a report, in writing, to the common council of said city, upon the condition of the said police force of said city

§ 31. The superintendent of police and the captains of police within their precincts shall possess power of general police supervision and inspection over all pawnbrokers, junk-shop keepers, cartmen, hackmen, dealers in second-hand merchandise, intelligence office keepers and auctioneers of watches and jewelry, within said police district; and, in the exercise and in furtherance of said supervision, may, from time to time, empower members of the police force to fulfill such special duties in the aforesaid premises as may, from time to time, be ordained by said board of police commissioners. The said superintendent and captains within their precincts may, by authority in writing, empower any member of said police force, whenever such member shall be in search of property feloniously obtained, or in search of suspected offenders, to examine the books of any pawnbroker or his business premises, or the business premises of any junk-shop keeper or dealer in second-hand merchandise, or intelligence office keepers. Any such member of said police force, when thereto authorized in writing as aforesaid, and having in his possession a pawnbroker's ticket or receipt shall be allowed to examine the property purported to be pawned, pledged or deposited on said ticket or receipt, in whosoever possession said property may be, but no such property shall be taken from the possessor thereof without due process or authority of law. Any willful interference with the said superintendent or captain or with any member of said police force, while in the official and due discharge of duty, by any of the persons hereinbefore named in this section, shall be deemed a misdemeanor, and punishable as such. If any member of said police force, or if any two or more householders shall report in writing, under their or his signature, to the superintendent of said police force, that there are good grounds, stating the same, for believing any house, room or premises, within said police district, to be kept or used as a common gaming house or common gaming room or common gaming premises, for therein playing for wagers of money at any game of chance, or to be kept or used for any lewd, immoral or obscene public amusement or purpose, or the deposit or sale of lottery tickets or lottery policies, it shall be the duty of such superintendents to authorize any member or members of said police force to enter the same, who shall forthwith arrest all persons there found offending against any law, and seize all implements of gaming,

lottery tickets and lottery policies, and convey any person so arrested before the nearest magistrate and bring the articles so seized to the office of the said board of police commissioners. It shall be the duty of such superintendent to cause such arrested persons to be vigorously prosecuted, and such seized articles to be destroyed. It shall be a misdemeanor, punishable by imprisonment in the county jail, or in the Albany penitentiary for not less than one year, and not exceeding two years, or by a fine of not less than two hundred and fifty dollars, for any person, without justifiable or excusable cause, to use, or incite any other person to use, personal violence upon any elector upon election day in said city, or upon any member of the police force thereof when in the discharge of his duty; or for any such member willfully to neglect making any arrest for an offense against the law of this state, or any ordinance in force in any part of said city, or for any person not a member of said police force, falsely to represent himself as being such a member, with a fraudulent design upon persons or property.

§ 32. The said board of police commissioners shall cause to be kept general complaint books, in which shall be entered any complaint of a police nature, preferred upon a personal knowledge of the circumstances thereof, with the name and residence of the complainant; they shall also cause to be kept books of registration of lost, missing and stolen property, for the general convenience of the public and for the information of said police force. The said board shall cause to be kept books of record of said police department, wherein shall be entered the name of every member of said police force, with the time and place of his nativity, the place where and the time when (if born out of the United States) he became a citizen of the United States; his age upon becoming such member, and his former occupation, the number of his family, and the residence thereof, and the date of his appointment, and his resignation of, or withdrawal or dismissal from said force, with the cause of the latter; and against all such entries sufficient space shall be left wherein to make record of any special arrests made, from time to time, by such member, or of any special service deemed meritorious by the board, done by him. Such books shall be, at all business hours, and when not in actual use, open to public inspection. The said board shall also cause to be kept and bound, all police returns and reports from any member of said force, and all minutes of the proceedings of said board, which returns, reports and minutes shall be open for public inspection.

§ 33. Every member of said police force shall have issued to him by the said board of police commissioners a proper warrant of appointment, signed by the president of said board and

countersigned by the secretary thereof, which warrant shall contain the date of his appointment and his rank.

§ 34. The said board of police commissioners shall make suitable provisions respecting security to be given by the superintendent of the police and other officers of said force, for the faithful performance of their respective duties. Each member of the police force shall subscribe an oath of office in the constitutional form, in a book kept for that purpose, and shall take said oath before one of the commissioners of police, each of whom is hereby authorized to administer such oath and to certify the taking thereof.

§ 35. The members of the police force of the said city of Troy shall possess, in every part of the state of New York, all the common law and statutory powers of constables, except for the service of civil process; and any warrant for search or arrest, issued by any magistrate of the state of New York, may be executed in any part of the state by any member of the police force of said city, without any indorsement of said warrant, and according to the terms thereof; and all the provisions of sections seven, eight and nine of chapter two, title two, part four of the revised statutes, in relation to the giving and taking of bail, shall apply to this act.

§ 36. All criminal process for any offense committed within said city, issuing out of any court, or from any justice, judge, or justice of the peace within said city, and all process, subpoena, bench-warrant, or otherwise, issued by the district attorney of the county of Rensselaer, relating to any offense committed within said city, and all process, warrants or subpoenas issued by any coroner of said city in any inquest held therein relative to the death of any person, or to the cause of any fire in said city, shall be served by a member of said police force, and not otherwise. Said board of police commissioners may detail two policemen of said police force to do duty in the service of process during the sessions of the courts of said county, under the direction of said district attorney; and the expenses of said officers shall be a charge upon the county of Rensselaer, and no constable or marshal shall be paid for attending said courts.

§ 37. The necessary expenses incurred in the execution of criminal process within said city shall be a charge against said city, town or county as now provided by law. No fees or compensation whatever, other than as herein provided, shall be charged or received by any officer or member of the said police force for the arrest, confinement or discharge of any person, or for mileage and travel, or for serving any warrant, subpoena, or process, or for discharging any other duty required by this act; nor shall any such fee or compensation be charged or received by any officer

or citizen for the arrest of any person charged with crime, or for the service of any warrant, subpoena or other process in any criminal case, except as herein provided. The actual necessary and reasonable traveling expenses, which shall include board as well as transportation, incurred by any officer or member of the said police force, or by any other officer or citizen who may have been selected to execute any process issued within the said city of Troy, incurred by any such officer or member of the police force, or other officer or person in executing any such process or discharging any duty required of him by the district attorney of the county of Rensselaer, or by any police justice, justice of the peace, judge of a court of record or criminal court, held within said city, for any offense arising within said city, shall be audited and allowed by the said board of police commissioners, and paid by the chamberlain of the said city of Troy. Such charges shall only be allowed upon the affidavit of the person making them, and shall not include any items for traveling expenses in cases wherein transportation has been furnished to the party gratuitously, and without pay by him, under whatever circumstances such free transportation may have been given. The board of supervisors of the county of Rensselaer shall annually cause to be raised by tax, in the manner provided by law for assessing, levying and collecting the state and county taxes within and for the said county, a sum sufficient to pay the charges and expenses incurred by said police force in the service of all criminal process issuing from the district attorney, or any justice, and a sum sufficient to pay the costs, charges and expenses for police services rendered by any member of the police force, or by said board of police commissioners in the execution of criminal process, in cases now chargeable to said county, and for services in attending the courts of oyer and terminer and sessions; the same to be assessed, levied and collected as now provided by law, in the same manner, ratio and proportion as the amounts of the deputy sheriffs and constables of said county are now charged, assessed, levied and collected; the amount thereof to be paid as soon as collected by the county treasurer, to the chamberlain of the city of Troy, to be applied towards the general expenses of the police force; and it shall be the duty of the said board of police commissioners to furnish annually to the said board of supervisors of the said county, an accurate statement of all the moneys paid out by the said board under the requirements of this section, during the preceding year, and the amount so stated shall be paid over by the county treasurer of said county to the chamberlain of the said city of Troy, as aforesaid. The said state-

ment shall be made out in detail, and shall be verified by the superintendent of police or one of the said police commissioners, and the said statement shall also contain an accurate account of the number of days any officer or member of said police force has, during each year, attended the criminal courts or courts of record in said county of Rensselaer, or at the district attorney's office, as required by this act, and the same shall be verified by the oath of the superintendent of police, or one of the police commissioners; and the board of supervisors shall audit and allow said account for moneys paid out, so verified, and shall audit and allow for each day's attendance upon the said courts and the district attorney's office, the compensation which such member of the police force is entitled to receive under this act.

§ 38. It shall be the duty of the said board of police commissioners to see that the arrangements for voting within said city are such as to prevent any avoidable crowding of voters at each election poll, and that the challengers of all parties have fair advantages and equal room, rights and privileges for the discharge of their duties at each election poll, and that the canvassing of the votes be conducted in an orderly, fair, open and public manner.

§ 39. It shall be the duty of the board of police commissioners to detail, on the day of any election in the city of Troy, at least one patrolman to each election poll.

§ 40. All property or money alleged or supposed to have been feloniously obtained, or which shall be lost or abandoned, and which shall thereafter be taken into the custody of any member of said police force, or of any criminal court in the city of Troy, or which shall come into the custody of any police justice within said city of Troy, shall be by such member or justice, or by order of said court, given into the custody of and be kept by the property clerk of said city; and all such property and money shall be particularly registered by said property clerk, in a book kept for that purpose, which shall contain also a record of the names of the persons from whom such property or money was taken, the names of the claimants thereof, the time of the seizure, and any final disposition of such property or money.

§ 41. Whenever property or money shall be taken from persons arrested, and shall be alleged to have been feloniously obtained, or to be the proceeds of crime, and whenever brought with the claimant thereof and the person arrested before some magistrate for adjudication, and the magistrate shall then and there be satisfied, from evidence, that the person arrested is innocent of the offense alleged, and that the property rightfully belongs to such person, then the said magistrate may thereupon, in writing, order such property or money to be returned to such person, and

the property clerk (if he have it) to deliver such property or money to the accused person himself, and not to any attorney, agent or clerk of such accused person. If any claim to the ownership of such property or money shall be made on oath before the magistrate, by or on behalf of any other person than the person so arrested, and the said accused person shall be held for trial or examination, such property or money shall remain in the custody of the property clerk until the discharge or conviction of the person accused.

§ 42. All property or money taken on suspicion of having been feloniously obtained, or of being the proceeds of crime, and for which there is no other claimant than the person from whom the same was so taken, and all lost property coming into the possession of any member of said police force, and all property and money taken from pawnbrokers as the proceeds of crime, or by any such member taken from persons supposed to be insane, intoxicated or otherwise incapable of taking care of themselves, shall, as soon as practicable, be transmitted to the property clerk of said police force, to be duly registered and advertised for the benefit of all persons and parties interested, and for the information of the public as to the amount and disposition of the property so taken into custody by the police.

§ 43. All property and money that shall remain in the custody of the property clerk for a period of six months, without any lawful claimant thereto, after having been advertised three times in the official daily newspapers, shall be sold at public auction according to the tenor of such advertising, and the proceeds of such sale shall be paid over to the chamberlain of the said city of Troy.

§ 44. If any property or money placed in the custody of the property clerk shall be desired as evidence in any police or other criminal court, such property shall be delivered to any officer who shall present an order to that effect from such court. Such property shall, however, not be retained in said court, but shall be returned to said property clerk to be disposed of as hereinbefore provided.

§ 45. The board of police commissioners shall, at all times, cause the ordinances of the city of Troy, not in conflict with the provisions of this act, to be properly enforced; and it shall be the duty of the said board at all times, when consistent with the rules and regulations of the said board of police commissioners, and with the requirements of this act, to furnish all the information known to the said board to any citizen of the said city who may desire the same.

§ 46. The board of police commissioners shall detail a member of said police force, whose duty it shall be to attend the meetings

of the common council of said city to act as sergeant-at-arms under the orders of the president of the common council.

§ 47. Any person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred and not exceeding two hundred and fifty dollars, or by imprisonment of not less than thirty days and not more than ninety days, in the Rensselaer county jail, or by both such fine and imprisonment.

§ 48. Any justice of the supreme court of the state of New York may remove any police commissioner from office for misconduct or neglect of duty, either as police commissioner or commissioner of excise, giving him a copy of the charge against him and an opportunity of being heard in his defense before any removal shall be made. Any person so removed shall not thereafter be a police commissioner of said city.

§ 49. All the acts or parts of acts inconsistent with or repugnant to this act are hereby repealed.

§ 50. This act shall take effect immediately.

HAMILTON FISH,

Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lawson, Int. No. 1301, entitled "An act to amend chapter 256 of the Laws of 1888, entitled 'An act to prevent the use of certain parks and streets in the city of New York for railroads,'" reported in favor of the passage of the same, with the following amendment:

Page 2, lines 1 and 2, strike out the words "or operated upon."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. M. F. Smith, Int. No. 501, entitled "An act to amend chapter 40 of the Laws of 1888, as amended by chapter 193 of the Laws of 1893, entitled "An act to incorporate the city of Hornellsville," reported in favor of the passage of the same, with the following amendments:

Section 1, page 2, line 1, strike out all after the word "same" down to and including the word "by" in line 3, and insert the

words "That part of the expense of such paving, or grading and paving, which is to be paid by the city, shall be raised by a."

Same page, line 5, strike out the word "which."

Page 5, line 16, after the word "taxes" insert the words "except as hereinafter provided."

Same page, line 19, insert after the word "street," second time occurring, the words "and to be paid by any street railway operated in said city."

Page 6, line 12, after the word "interest" insert the words "at the rate of six."

Same page, strike out all of line 13 down to and including the word "negotiated."

Page 7, line 13, at the end of the line insert the words "If within ten days after said common council shall have voted a resolution to pave any street or any portion thereof, any street railway company having its tracks upon such street or portion of street so to be paved may give notice to the mayor of said city that it elects to pave between its tracks and one foot outside of each of its tracks with good paving brick, according to its franchise; and provided said street railway shall thereupon at its own expense cause such paving to be done, then it shall not be assessed for any tax under this act."

Add as section 2 the following:

§ 2. Section 1 of title 2 of chapter 40 of the Laws of 1888, as amended by chapter 374 of the Laws of 1888, and chapter 126 of the Laws of 1889, and chapter 472 of the Laws of 1890, is hereby amended so as to read as follows:

§ 1. The officers of said city shall be a mayor, chamberlain, overseer of the poor, recorder, three justices of the peace, five constables, three assessors, three commissioners of excise, one sealer of weights and measures and one game constable, who shall be elected by the city at large; three supervisors, one of whom shall be elected from the First and Second wards hereinbefore described, and one of whom shall be elected from the Fourth and Fifth wards hereinbefore described, and the other one of whom shall be elected from the Third and Sixth wards hereinbefore described; and two aldermen and two inspectors of election to be elected in each ward respectively. The common council shall appoint, and at its pleasure remove any attorney, city clerk, engineer, street commissioner, fire warden, and such other officers as hereinafter specified. Any offices hereby created not heretofore existing, shall be filled by appointment of the common council in the same manner as provided by this act for filling vacancies in elective or appointive offices, until the next annual election only when such offices hereby created shall be filled by election.

§ 3. This act shall take effect immediately.

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dinkelspiel, Int. No. 1000, entitled "An act to provide for the erection of a building for court purposes in the city of New York," reported in favor of the passage of the same, with the following amendments:

Page 1, line 5, strike out the words "it shall be the duty of," and also the words "and they."

Same page, line 6, strike out the word "directed" and insert after the word "empowered" the words "in their discretion."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Taylor, Int. No. 1243, entitled "An act to amend section 2 of title 3 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' by creating a new department to be known as the department of street cleaning," reported in favor of the passage of the same, with the following amendments:

Strike out sections 5 and 6 and insert the following:

"§ 5. From and after the passage of this act all the powers and duties of the commissioner of city works of said city of Brooklyn respecting the keeping of the streets, avenues and places of said city clear of encroachments, obstructions and incumbrances and in respect to the Wallabout market lands of said city, so called, shall rest in and hereby are transferred to said commissioner of street cleaning.

"§ 6. All acts and parts of acts inconsistent with this act are hereby repealed.

"§ 7. This act shall take effect immediately."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Prescott, Int. No. 1361, entitled "An act to amend chapter 487 of the Laws of 889, entitled 'An act to amend chapter 314 of the Laws of 1858,

entitled 'An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes,' reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Parkhurst, Int. No. 1270, entitled "An act to amend section 53 of article 2 of chapter 19 of the general highway law of 1892," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1126, entitled "An act to amend subdivision 28 of section 222 of chapter 686 of the Laws of 1892, entitled 'An act in relation to counties,' constituting chapter 18 of the general laws," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Lexow, Rec. No. 229, entitled 'An act for the relief of the Goshen Sanitarium Company of Goshen, N. Y., and to legalize its incorporation,' reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Collins, Rec. No. 226, entitled "An act to legalize the conveyance of certain lands to the railroad commissioners of the town of New Lebanon in the county of Columbia, and to authorize said commissioners to hold and convey the same," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Pound, Rec. No. 258, entitled "An act to amend chapter 707 of the Laws of 1893, entitled 'An act to incorporate the Model Town Company, to define its rights, powers and privileges, and for other purposes,' reported in favor of the passage of the same, without amendment, which

report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Braun, Int. No. 1321, entitled "An act to amend section 1 of article 1 of title 19 of chapter 20 of part 1 of the Revised Statutes, entitled 'of brokerage, stock-jobbing and pawnbrokers,'" reported the same for the consideration of the House, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. E. L. Ryder, Int. No. 1330, entitled "An act conferring upon voters in municipal corporations the power of legislation by direct vote," reported the same for the consideration of the House, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Burtis, Int. No. 432, entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws,' as amended by chapter 306 of the Laws of 1892," reported in favor of the passage of the same, with the following amendments:

Page 2, line 1, strike out all after the word "cities."

Page 2, line 2, strike out the words "to the last federal census or State enumeration."

PHILIP KECK,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Wray, Int. No. 964, entitled "An act to limit the powers of constables and to extend the powers of the members of the police force in criminal actions and proceedings in the county of Richmond," reported in favor of the passage of the same, with the following amendment (Mr. Southworth dissenting):

Strike out all after the enacting clause and insert the following:
"§ 1. No process, precept, orders, warrants or commitments in any criminal action or proceeding shall be delivered by any justice of the peace or police justice in the county of Richmond to any constable of said county, and the constables of said county

are hereby prohibited from executing the same; but every such process, precept, orders, warrants or commitments in any criminal action or proceeding shall hereafter be directed and delivered to the sheriff of said county or to any member of the police force, who are hereby invested with the same powers in relation thereto now possessed by constables in criminal actions and proceedings.

“§ 2. All acts and parts of acts inconsistent with this act, so far as they affect Richmond county, are hereby repealed.

“§ 3. This act shall take effect immediately.”

PHILIP KECK,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. J. H. Clark, Int. No. 179, entitled “An act concerning the Niagara Falls Suspension Bridge Company, and to amend chapter 133 of the Laws of 1855, entitled ‘An act to incorporate the Niagara Falls Suspension Bridge Company,’ as revised and extended by chapter 239 of the Laws of 1867,” reported in favor of the passage of the same, with the following amendments:

Page 2, line 8, after the word “structure” insert the words “but not more than five hundred feet northerly therefrom.”

Make section 5 section 6.

Make new section 5 to read as follows:

“§ 5. Nothing in this act contained shall confer any power to infringe upon the State reservation at Niagara.”

RICHARD HIGBIE,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Thompson, from the committee on banks, to which was referred the bill introduced by Mr. Herrman, Int. No. 1048, entitled “An act to amend chapter 689 of the Laws of 1892, entitled ‘An act in relation to banking corporations,’ ” reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thompson, from the committee on banks, to which was referred the bill introduced by Mr. Thompson, Int. No. 1334, entitled “An act to amend chapter 689 of the Laws of 1892, as amended by chapter 440 of the Laws of 1893, being an act entitled ‘An act in relation to banking corporations,’ ” reported in

favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thompson, from the committee on banks, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 244, entitled "An act to change the name of 'The National Saving and Loan Association,' of Rochester, New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thompson, from the committee on banks, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 207, entitled "An act to abolish days of grace," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thompson, from the committee on banks, to which was referred the bill introduced by Mr. Keck, Int. No. 162, entitled "An act to amend the banking law," reported in favor of the passage of the same, with the following amendments:

Page 2, line 15, after the word "twenty-five" insert the word "thousand."

Page 3, line 13, after the word "State" insert the words "and every such corporation already formed may."

Page 6, at the end of line 4 insert the words "such securities and certificates may be deposited with a trust company approved by the Superintendent of the Banking Department of this State, where the association making such deposit is organized under the laws of a State in which there is no chief fiscal officer authorized by the law of such State to receive such deposit."

E. H. THOMPSON,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Schoepflin, Int. No. 1353, entitled "An act to amend chapter 231 of the Laws of 1876, relating to the office of supervisor in Erie county," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which

was referred the bill introduced by Mr. Baker, Int. No. 1326, entitled "An act empowering the supervisor and commissioner of highways of the town of Plattsburgh, to purchase a stone crusher and power and to provide for the working of highway assessments in connection therewith," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Porter, Int. No. 1145, entitled "An act authorizing the construction of wheelways along highways," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Friday, Int. No. 1035, entitled "An act to repeal chapter 353 of the Laws of 1893, entitled 'An act for the preservation of the public peace, the protection of private property, maintenance of law and order, the licensing of public hacks, vehicles, venders, shows, concerts and public amusement in the town of Flatlands in the county of Kings,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Schoepflin, Int. No. 1352, entitled "An act to provide for a county auditor and regulate the purchase of supplies for the county institutions and officers of the county of Erie," reported in favor of the passage of the same, with the following amendments:

Section 1, line 2, strike out all after the words "shall be" and insert the words "elected at the general election held in November, 1894, and who shall take office January 1, 1895."

Same section, strike out all of line 3.

Same section, line 6, strike out the word "appointed" and insert the word "elected."

Section 2, line 7, strike out all after the word "treasure."

Same section, strike out all of line 8.

Same section, line 9, strike out all except the words "The board of."

Same section, line 11, strike out all beginning after the word "office."

Same section, strike out all of line 12.

Section 7, line 14, strike out the words "appointed on or before December 15" and insert the words "elected in November."

U. S. MESSITER,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. M. F. Smith, Int. No. 1309, entitled "An act to amend section 4 of title 3 of chapter 200 of the Laws of 1873, entitled 'An act to amend the charter of the village of Addison, in the county of Steuben, incorporated under chapter 426 of the Laws of 1847, as amended by chapter 511 of the Laws of 1884,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Chambers, Int. No. 1370, entitled "An act to provide the village of Lansingburgh with a police station-house, and to issue bonds therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Gerst, Int. No. 1368, entitled "An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled 'An act to consolidate and amend the several acts relating to the said village of Lancaster, and to enlarge the powers of the corporation of said village.'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading and ordered reprinted.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 221, entitled 'An act to enable the village of Oneida to refund its bonded indebtedness and to issue bonds for that purpose,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 162, entitled "An act to amend chapter 640 of the Laws of 1892, entitled 'An act relating to the repair and improvements of streets, roads, docks and wharves in the villages situated in towns in which more than one-fourth in value of the taxable real estate has been condemned or appropriated for the purpose of a public park or parks, and providing for the raising of money for such repair and improvements,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Persons, Rec. No. 284, entitled "An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled An act to consolidate and amend the several acts relating to the said village of Lancaster, and to enlarge the powers of the corporation of said village,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 108, entitled "An act in relation to Center avenue and Main street, in the village of New Rochelle, county of Westchester and State of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Kelsey, Int. No. 643, entitled "An act to amend chapter 371 of the Laws of 1893, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,' and to create a police fund and define the jurisdiction, powers and duties of the police justice and policemen of said village," reported in favor of the passage of the same, with the following amendments:

Page 3, line 2, strike out the word "two" and insert the word one;" also, change the word "years" to "year."

Same page, line 3, strike out all after the word "vided."

Same page, line 4, strike out the words "the passage of this act" and insert the words "The said board of trustees shall within twenty days after this act takes effect, appoint a police justice, whose term of office."

Same page, line 5, strike out the word "six" and insert the word "five."

Same page, line 7, strike out the word "second."

Same page, line 19, strike out the word "five" and insert the word "two."

Same page, strike out all of section 4.

Page 4, line 19, strike out the word "justice" and insert the word "jurisdiction."

Page 13, line 4, after the word "and" insert the words "deliver to the board of trustees of the village of Dansville, which board shall;" also, after the word "present" insert the words "the same."

Same page, after line 6 insert the words "in favor of said village of Dansville."

Same page, line 7, strike out the word "then" and insert the words "said policemen."

Same page, line 8, after the word "ceedings" insert the words "chargeable to said town or county."

JOHN M. CHAMBERS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hotaling, from the committee on labor and industries, to which was referred the bill introduced by Mr. Whittet, Int. No. 746, entitled "An act to regulate the employment of prison labor in the manufacture of brooms and brushes made of broom corn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hotaling, from the committee on labor and industries, to which was referred the bill introduced by Mr. Dean, Int. No. 368, entitled "An act to amend chapter 323 of the Laws of 1887 and the several acts amendatory thereto, entitled 'An act in relation to the labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods and merchandise,'" reported in favor of the passage of the following substitute therefor:

AN Act in relation to the labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All goods, wares and merchandise made by convict labor, in any penitentiary, prison, reformatory or other establishment in which convict labor is employed in any state, except the state of New York, and imported, brought or introduced into the state of New York, shall be before being exposed for sale be branded, labeled or marked as hereinafter provided, and shall not be exposed for sale in any place within this state, without such brand, label or mark.

§ 2. The brand, label or mark hereby required, shall contain at the head or top thereof, the words "convict made," followed by the year and name of the penitentiary, prison, reformatory or other establishment in which it was made, in plain English lettering, of the style and size known as great primer Roman condensed capitals. The brand or mark shall, in all cases, where the nature of the article will permit be placed upon the same, and only where such branding or marking is impossible shall a label be used, and where a label is used it shall be in the form of a paper tag, which shall be attached by wire to each article where the nature of the article will permit, and placed securely upon the box, crate or other covering in which such goods, ware or merchandise may be packed, shipped or exposed for sale. Said brand, mark or label shall be placed upon the outside of and upon the most conspicuous part of the finished article and its box, crate or covering.

§ 3. It shall be the duty of the commissioner of labor statistics and the district attorneys of the several counties to enforce the provisions of this act, and of section three hundred and eighty-four-b of the penal code, and when, upon complaint or otherwise, the commissioner of labor statistics has reason to believe that this act is being violated, he shall advise the district attorney of the county wherein such alleged violation has occurred, of that fact, giving the information in support of his conclusions, and such district attorney shall at once institute the proper legal proceedings to compel compliance with this act.

§ 4. It shall be lawful for any person, persons or corporation to furnish evidence as to the violation upon the part of any person, persons or corporation, and upon the conviction of any such person, persons or corporation, one-half of the fine, provided for by section three hundred and eighty-four-b of the penal code which shall be secured, shall be paid upon certificate by the district attorney to the commissioner of labor statistics who shall use such

money in investigating and securing information in regard to the violations of this act, and in paying the expenses of such conviction.

§ 5. Section three hundred and eighty-four-b of the penal code is hereby amended to read as follows:

§ 384-b. Penalty for dealing in convict-made goods of other states, without labeling.—A person having in his possession, for the purpose of sale, or offering for sale, any convict-made goods, wares or merchandise, manufactured in any other state, without the brand, mark or label required by law, or who removes or defaces such brand, mark or label, is guilty of a misdemeanor, punishable by a fine not exceeding ten hundred dollars, nor less than one hundred dollars, or imprisoned for a term not exceeding one year nor less than ten days or both.

§ 6. Chapter three hundred and twenty-three of the laws of eighteen hundred and eighty-seven is hereby repealed.

§ 7. This act shall take effect immediately.

W. H. HOTALING,

Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of second reading.

Mr. Hotaling, from the committee on labor and industries, to which was referred the bill introduced by Mr. Dean, Int. No. 389, entitled "An act to regulate the sale of convict-made goods, wares and merchandise manufactured by convicts in other States," reported in favor of the passage of the following substitute therefor:

AN ACT to regulate the sale of convict-made goods, wares and merchandise manufactured by convicts in other States.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. On and after the first day of July, eighteen hundred and ninety-four, it shall be unlawful for any person, persons or corporation to expose for sale within the state of New York, without first obtaining from the comptroller of the state a license to sell any convict-made goods, merchandise or wares, as hereinafter provided.

§ 2. Every person, persons or corporation desiring to act as agents for or to deal in convict-made goods, merchandise or wares, before exposing such goods within the limits of the state of New York, shall make an application in writing to the comptroller setting forth his or their residence or office, the class of goods he, they or it desires to deal in, the town, village or city giving the street number at which he, they or it intends

to locate, together with names of two or more responsible citizens of the state of New York, who shall enter into a bond of not less than five thousand dollars to guarantee that the said applicant will in all and every particular, comply with any and all laws of the state of New York regulating and prescribing the sale of convict-made goods, wares and merchandise.

§ 3. The comptroller shall thereupon issue a license to such applicant for one year except as hereinafter provided, which license shall set forth the name of such person, persons or corporation and shall be kept conspicuously posted in his, their or its place of business.

§ 4. Such person, persons or corporation shall annually, before the fifteenth day of January in each year transmit to the secretary of state, a verified statement setting forth:

1. The name of the person, persons or corporation.
2. His, their or its place of business.
3. The names of the persons, agents, wardens or keepers of any prison, jail, penitentiary or reformatory or establishment using convict labor with whom he has done business, and the person, persons or corporation to whom he has sold goods, wares or merchandise, giving the state, city or town and street number of such purchaser or purchasers.

4. In general terms the amount paid to each of such agents, wardens or keepers, for goods, wares or merchandise and the character of goods, wares and merchandise so received.

§ 5. Every person, persons or corporation shall pay annually on or before the fifteenth day of January in each year, the sum of five hundred dollars to the state treasurer, as a license fee, which amount shall be credited to the maintenance account of the state prison and shall become available for such use upon the certificate of the comptroller.

§ 6. For the purposes of this act no license shall be issued during the year eighteen hundred and ninety-four, for a longer period than to expire January first, eighteen hundred and ninety-five, and the amount paid for such license shall be such proportionate amount of five hundred dollars, as the number of days such license is to run, bears to the number of days in the year, but thereafter licenses shall be for one year unless revoked as subsequently provided for.

§ 7. The comptroller shall have power to revoke the license of any person, persons or corporation upon satisfactory evidence or upon conviction for any violation of any law regulating the sale of convict-made goods, wares and merchandise, but no such revocation shall be made until after due notice to the person, persons or corporation so complained of, and for the purposes

of this section the said comptroller, or his authorized agents, shall have power to administer oath and to compel the attendance of persons and the production of books, papers, et cetera.

§ 8. When upon complaint or otherwise the commissioner of labor statistics has reason to believe that this act is being violated, he shall advise the district attorney of the county in which such alleged violation has occurred of that fact, giving the information in support of his conclusions, and the district attorney shall at once institute the proper legal proceedings to compel compliance with this act. Any person offending against the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding ten hundred dollars, nor less than two hundred and fifty dollars, or to be imprisoned for a term not exceeding twelve months nor less than ten days, or both.

§ 9. It shall be lawful for any person, persons or corporation to furnish evidence as to the violation upon the part of any person, persons or corporation, and upon the conviction of such person, persons or corporation, one-half of the fine provided for by this act, which shall be secured, shall be paid by the district attorney to the commissioner of labor statistics to be used by him in investigating and securing information regarding violations of this act and in paying the expenses of securing convictions for violations thereof.

§ 10. Nothing in this act shall effect the products of the prisons of the state of New York.

§ 11. This act shall take effect immediately.

W. H. HOTALING,

Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of second reading.

Mr. O'Grady, from the committee on public education, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 222, entitled "An act to encourage and to promote the professional training of teachers," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. O'Grady, from the committee on public education, to which was referred the bill introduced by Mr. Myers, Int. No. 951, entitled "An act for the adjustment and satisfaction of certain taxes upon the property of Union college," reported in favor of the passage of the same, with the following amendment:

Page 1, line 1, strike out the words "now it is hereby enacted";

also, in same line, strike out the small "t" in the word "that" and insert a capital "T"; also, in same line, strike out the word "of" and insert the words "owned by."

Same page, line 2, after the word "college" insert the word "situated"; also, in same line, after the word "building" insert the words "or buildings."

Same page, line 3, after the word "from" insert the word "all."

Same page, line 5, after the word "the" insert the word "said."

Same page, line 8, after the word "college" insert the words "situated in said city, and the surrender to said city of all certificates issued for improvements of the first ward of said city, now held by said college."

J. M. E. O'GRADY,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. O'Grady, from the committee on public education, to which was referred the bill introduced by Mr. Carroll, Int. No. 1197, entitled "An act in relation to the practice of pharmacy," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. C. W. Terry, from the committee on Indian affairs, to which was referred the bill introduced by Mr. C. W. Terry, Int. No. 1250, entitled "An act to ratify and confirm the constitution of the Seneca nation of Indians, adopted on the 13th day of January, 1893," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. C. W. Terry, from the committee on Indian affairs, to which was referred the bill introduced by Mr. C. W. Terry, Int. No. 1284, entitled "An act to provide for the care and support by the State of pauper Indians," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Schoepflin, Int. No. 1141, entitled "An act to amend the Revised Statutes, relating to temporary relief of the poor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Dinkelspiel, Int. No. 1273, entitled "An act to amend chapter 104 of the Laws of 1872, entitled 'An act in relation to trustees and directors of charitable and benevolent institutions,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Van Amber, from the committee on fisheries and game, to which was referred the bill introduced by Mr. E. L. Ryder, Int. No. 200, entitled "An act to prevent the drawing of seines, and to protect spawning beds in Croton bay, south of Croton Point," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Van Amber, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Baker, Int. No. 1159, entitled "An act to prohibit the killing, wounding, catching and pursuit of wild animals, wild birds and fish, and attempts thereat, in the State of New York, by persons not citizens of the United States, without a license therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Seibert, Int. No. 1374, entitled "An act to authorize the common council of the city of Buffalo to transfer Front avenue to the board of park commissioners as a park approach," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading and ordered reprinted.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1268) entitled "An act providing for the acquirement of lands for the Adirondack park under the right of eminent domain" (Int. No. 1175), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the word "other."

Same page, line 5, strike out the word "two" and insert the word "three."

Same page, line 6, after the word "one" strike out the comma and insert the word "of;" also, after the word "twenty-one" insert the word "of;" also, strike out the words "title and."

Same page, line 9, strike out the word "the" and insert the word "this;" also, strike out the words "of New York."

Page 4, line 11, after the word "discretion" insert a comma.

Same page, line 23, after the word "disbursements" insert a comma.

Same page, line 24, after the word "and" insert a comma.

Page 5, line 1, after the word "comptroller" strike out all line 1.

Amend the title so as to read as follows :

"An act providing for the acquirement of lands for the Adirondack park under the right of eminent domain."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1541) entitled "An act to enable the towns and cities of this State to use the Meyers automatic ballot machine at all elections therein" (Int. No. 25), reported the same, with the recommendation that it be amended as follows:

Page 1, strike out all of lines 4 and 5 up to and including the word "ninety-two" and insert the words "section 42 of the town law."

Same page, line 8, after the word "some" insert the words "at all elections held therein."

Page 2, line 1, strike out the word "or" and insert the word "and."

Same page, line 3, after the word "city" insert a semicolon.

Same page, line 4, begin the word "And" with a small "a."

Same page, lines 5 and 6, strike out the words "the said" and insert the words "such towns or."

Same page, line 9, add the letter "s" to the word "elections."

Page 3, line 8, strike off the letter "e" from the word "therefore" making it "therefor."

Same page, line 15, add the letter "s" to the word "heading."

Page 4, line 13, after the word "vote" strike out a comma.

Same page, line 20, after the figures "20" and before the figure "3" insert a section mark.

Page 5, line 9, before the figure "4" insert a section mark.

Same page, line 13, add the letter "s" to the word "rail."

Page 6, line 7, strike out the word "genera" and insert the word "general."

Same page, line 8, strike out the letter "s" from the word "expenses."

Same page, line 19, after the word "caption" strike out the comma.

Page 8, line 21, after the word "used" insert the words "the instruction cards shall state the."

Same page, same line, after the word "party" insert the word "ballots."

Page 9, line 21, after the word "election" strike out the period.

Page 10, line 4, after the word "town" strike out the comma.

Same page, strike out all of line 5.

Same page, line 13, after the word "clerk" insert a semicolon.

Page 11, line 5, after the word "possible" insert a comma.

Same page, line 6, after the word "prepared" insert a comma.

Same page, line 25, strike out the word "nor" and insert the word "or."

Page 12, line 1, after the word "ballots" insert a comma.

Page 15, line 23, strike out the word "care" and insert the word "cast."

Same page, line 24, after the "canvass" insert a period and strike out the word "that."

Same page, strike out all of line 25.

Same page, line 4, before the figures "18" insert "§."

Page 16, line 14, before the figures "19" insert "§."

Same page, line 17, before the figures "20" insert "§."

Same page, line 18, after the word "chapter" insert a comma.

Same page, line 23, before the figures "22" insert "§."

Page 17, line 3, before the figures "23" insert "§."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1412) entitled "An act to amend the highway law, relative to the county roads and to the money system of working the highways" (Int. No. 967), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, after "section 1" insert "section 4;" and after the word "seven" insert a comma, and strike out the words "of section four;" and after the word "of" strike out the words "the highway law" and insert the words "chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws.'"

Same page, line 5, add the letter "s" to the word "district."

Page 2, line 22, after the word "system" strike out the comma.

Page 5, line 12, after the word "and" insert the word "after."

Same page, line 17, strike out a comma after the word "system."

Page 6, line 6, strike out the word "direction" and insert the word "discretion."

Page 9, line 1, change the word "assessed" to "assessed,"

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1527) entitled "An act to amend title 13 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of fire" (Int. No. 1052), reported the same with the recommendation that it be amended as follows :

Page 1, line 5, after the word "Brooklyn" insert the words "as amended by chapter 371 of the Laws of 1889.

Page 2, line 12, strike out the word "forfeided" and insert the word "forfeiting."

Page 2, line 14, strike out the word "day's" and insert the word "days'."

Amend the title by striking out the words "title 13 of" in the first line.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 248) entitled "An act to amend section 214 of chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations,' constituting chapter 38 of the general laws" (Int. No. 249), reported the same with the recommendation that it be amended as follows :

Page 1, before line 1, insert the following :

"Section 1. Section 214 of chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations, constituting chapter 38 of the general laws,' is hereby amended to read as follows :"

Same page, line 2, capitalize the words "odd fellows;" also the word "masons."

Same page, line 8, change the word "no" to the word "not."

Page 2, line 15, capitalize the word "independent."

Same page, line 16, capitalize the words "order" and "odd fellows."

Same page, line 17, capitalize the words "free" and "accepted masons."

Amend the title so as to read as follows :

"An act to amend the insurance law, relating to exemption of certain societies and lodges."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. O'Grady offered for the consideration of the House a resolution, in the words following:

Resolved, That when this House adjourn it take a recess until 8.30 p. m., at which adjourned session only bills on the calendar be considered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 329, entitled "An act to release to Michael Sullivan and Margaret Sullivan, all the right, title and interest of the people of the State of New York, in and to certain real estate in the city of Brooklyn, county of Kings and State of New York" (Rec. No. 74), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That the Congress of the United States be and hereby is memorialized to cause to be enacted a law declaring the inlets and creeks along the east side of the Hudson river between Albany and Spuyten Duyvil, five in all, no longer navigable waters of the United States, and discontinue their use as such.

Provided, however, that the foregoing shall not be construed as suggesting any amendment or modification of existing statutes passed by the Congress of the United States or the Legislature of this State for the improvement of the navigation of Spuyten Duyvil creek or Harlem river.

Mr. Marrin moved that said resolution be referred to the committee on railroads.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read, in the words following:

IN SENATE, *April 4, 1893*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 614) entitled "An act to amend chapter 107 of the Laws of 1879, entitled 'An act relating to rural cemetery associations.'" (Int. No. 180.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. McMahon, and by unanimous consent, the same was amended as follows :

Page 3, line 2, strike out the word "must" and insert the word "may."

And as amended passed, and ordered to be sent to the Assembly for concurrence.

JOHN S. KENYON.

Clerk

Mr. Speaker put the question whether the house would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

}	AYES	97	}
}	NOES	00	}

Those voting in the affirmative, were

Ainsworth	Davidson	Howe	O'Grady	Southworth
Babcock	Dean	Keck	Parkhurst	Stadtfeld
Baker	Denniston	Keleher	Prescott	Stevens
Berry	Dinkelspiel	Kelsey	Reilly	Stewart
Braun	Dowling	Kerr	Rider, J.J.	Stone
Brennan	Eldredge	Kern	Robbins	Sulzer
Brownell	Fairbrother	Kneeland	Robertson	Terry, C.W.
Burtis	Fish	La Fetra	Robinson	Terry, J.F.
Bush	Friday	Lasch	Robson	Thompson
Butts	Fuller	Lawson	Roche	Thornton
Cain	Gardiner	Lee	Scanlon	Tilton
Carroll	Gerst	Lounsbury	Schillinger	Tuttle
Cassin	Glenn	Marrin	Schoepflin	Van Amber
Chambers	Gould	Matthews	Schulz, F.F.	Vehslage
Clark, F.E.	Higbie	McKeon	Schulz, H	Wells
Clark, J. H.	Hobbie	Melody	Seibert	Wieman
Conklin	Hoefler	Messiter	Smith, M.F.	Wilcox
Corrigan	Horton	Mittnacht	Smith, S.W.	Wray
Coughlin	Hotaling	Myers	Snyder	Wyckoff
Cutler	Houghton			

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was deter-

mined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	O'Donnell	Southworth
Babcock	Douglas	Hoysradt	O'Grady	Stadtfeld
Baker	Dowling	Keenan	Parkhurst	Stein
Berry	Eldredge	Keleher	Plant	Stevens
Braun	Fairbrother	Kelsey	Prescott	Stewart
Brennan	Fish	Kerr	Reilly	Stone
Brownell	Foley	Kern	Rider, J.J.	Sulzer
Burtis	Friday	Kneeland	Robbins	Taylor
Butts	Fuller	La Fetra	Robertson	Terry, J.F.
Cahill	Gardiner	Lasch	Robinson	Thompson
Callahan	Gerst	Lawson	Robson	Thornton
Carroll	Gleason	Lounsbury	Roche	Tilton
Cassin	Glenn	Loonan	Ryder, E.L.	Tobin
Chapman	Gould	Marrin	Scanlon	Tuttle
Clark, F.E.	Gray	Matthews	Schillinger	Vacheron
Clark, J. H.	Harrigan	McKeon	Schulz, F.F.	Van Amber
Conklin	Higbie	McNamee	Seibert	Vehslage
Coughlin	Hobbie	Melody	Sheffield	Wells
Cutler	Hoefler	Messiter	Sherwood	Whittet
Davidson	Horton	Mittnacht	Smith, M.F.	Wieman
Dean	Hotaling	Myers	Smith, S.W.	Wray
Denniston	Houghton	Nixon	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Speaker announced the calendar of the day.

The Senate bill No. 596 entitled "An act to amend section 3 of chapter 137 of the Laws of 1877, entitled 'An act to incorporate the library and reading-room of the village of Portchester in Westchester county'" (Rec. No. 189), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	O'Donnell	Southworth
Babcock	Douglas	Howe	O'Grady	Stadtfeld
Baker	Dowling	Keck	Parkhurst	Stein

Berry	Fairbrother	Keenan	Porter	Stevens
Braun	Finnigan	Keleher	Prescott	Stewart
Brennan	Fish	Kelsey	Reilly	Stone
Brownell	Foley	Kern	Rider, J.J.	Sulzer
Burtis	Friday	Kerrigan	Robbins	Taylor
Bush	Fuller	Kneeland	Robinson	Terry, C.W
Butts	Gardiner	La Petra	Robson	Thompson
Cahill	Gerst	Loonan	Roche	Thornton
Cain	Gleason	Marrin	Ryder, E.L.	Tobin
Cassin	Gould	Matthews	Scanlon	Trainor
Chapman	Gray	McDermott	Schillinger	Tuttle
Clark, F.E.	Harrigan	McKeon	Schoepflin	Vacheron
Conklin	Hennessy	McNamee	Sheffield	Vehslage
Corrigan	Herrman	Melody	Sherwood	Wells
Coughlin	Higbie	Messiter	Smith, M.F.	Whittet
Cutler	Hoefer	Mitnacht	Smith, S.W.	Wilcox
Dean	Horton	Nixon	Snyder	Wray
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 109) entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof'" (Rec. No. 111) having been announced for a third reading,

Mr. Ainsworth moved that said bill be laid aside.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Debate being had,

Mr. Roche moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{	AYES	36	}
{	NOES	58	}

Those who voted in the affirmative, were

Ainsworth	Eldredge	Mitnacht	Smith, M.F.	Tilton
Braun	Fuller	Prescott	Smith, S.W.	Tuttle
Chambers	Gerst	Robbins	Snyder	Van Amber

Clark, J. H.	Higbie	Robson	Stadtfeld	Wells
Conklin	Hobbie	Ryder, E.L.	Taylor	Whittet
Cutler	Howe	Scanlon	Terry, C.W.	Wilcox
Dean	Kelsey	Schoepflin	Terry, J.F.	Speaker
Dinkelspiel				

Those who voted in the negative, were

Babcock	Davidson	Kerr	Melody	Schillinger
Baker	Denniston	Kerrigan	Messiter	Schulz, F.F.
Berry	Dowling	Kneeland	Myers	Schulz, H
Burtis	Fish	La Fetra	Nixon	Seibert
Butts	Foley	Lasch	O'Donnell	Southworth
Cahill	Friday	Lawson	O'Grady	Sulzer
Cain	Gould	Lee	Plant	Thompson
Callahan	Harrigan	Lounsbury	Reilly	Tobin
Carroll	Hotaling	Marrin	Rider, J.J.	Vehslage
Cassin	Houghton	McDermott	Robertson	Wieman
Chapman	Hoysradt	McKeon	Roche	Wray
Corrigan	Keleher	McNamee		

Mr. E. L. Ryder moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. Speaker presented the Fifth Annual Report of the New York Weather Bureau; which was laid upon the table and ordered printed.

(See Document.)

The privileges of the floor were extended to Messrs. Wesley Barnes and William J. Hadley, former members of this House.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to provide for the employment of State prisons convicts upon the public highway, and repealing chapter 3012 of the Laws of 1893." (No. 873, Int. No. 800.)

"An act to amend an act entitled 'An act to incorporate the Troy Female Seminary.'" (No. 794, Int. No. 745.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. J. J. Rider presented a petition of citizens of Otsego county in favor of Assembly bill No. 585, relating to itinerant vendors; which was laid upon the table.

On motion of Mr. Sulzer, the House adjourned.

THURSDAY, APRIL 5, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Wallace H. Butrick.

On motion of Mr. Wells, the journal of yesterday was approved without being read.

By unanimous consent,

Mr. Ainsworth introduced a bill entitled "An act to amend chapter 164 of the Laws of 1894, entitled 'An act to amend the Penal Code, relating to malicious injury and destruction of property on oyster beds'" (Int. No. 1442), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	81	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Hoysradt	Prescott	Stevens
Babcock	Fish	Keck	Rider, J.J.	Stewart
Baker	Friday	Kelsey	Robbins	Stone
Braun	Fuller	Kern	Robertson	Taylor
Brownell	Gardiner	Kerrigan	Robinson	Terry, C.W.
Burtis	Gerst	Lawson	Robson	Terry, J.F.
Chambers	Glenn	Lee	Roche	Thompson
Clark, F.E.	Gould	Lounsbury	Scanlon	Thornton
Clark, J. H.	Gray	Matthews	Schoepflin	Tilton
Conklin	Higbie	McDermott	Schulz, H	Tuttle
Cutler	Hobbie	Melody	Seibert	Van Amber
Davidson	Hoefler	Messiter	Sheffield	Wells
Denniston	Horton	Nixon	Sherwood	Whittet
Dinkelspiel	Hotaling	O'Grady	Smith, M.F.	Wilcox
Douglas	Houghton	Parkhurst	Smith, S.W.	Wyckoff
Dowling	Howe	Porter	Stadtfeld	Speaker
Eldredge				

Ordered That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Thornton moved that the time within which the judiciary committee may make reports, be extended until April 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth moved that the time within which the ways and means committee may make reports, be extended until April 12.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish moved that the time within which the committee on affairs of cities may make reports, be extended until April 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Keck moved that the time within which the committee on general laws may make reports, be extended until April 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Stone moved that the time within which the committee on claims may make reports, be extended until April 13,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Keck moved that the time within which the committee on codes may make reports, be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Parkhurst moved that the time within which the committee on railroads may make reports, be extended until April 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Matthews moved that the time within which the committee on taxation and retrenchment may make reports, be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. O'Grady moved that the time within which the committee on public education may make reports, be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Higbie moved that the time within which the committee on commerce and navigation may make reports, be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Lounsbury moved that the time within which the committee on electricity, gas and water supply may make reports, be extended until April 12.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Prescott introduced a bill entitled "An act authorizing the village of Little Falls to issue bonds to pay its floating indebtedness" (Int. No. 1443), which was read the first time.

Mr. Prescott asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kerr	Plant	Smith, S.W.
Babcock	Foley	Kern	Porter	Snyder
Baker	Friday	Kerrigan	Prescott	Stadtfeld
Braun	Fuller	Kneeland	Rider, J.J.	Stevens
Brownell	Gardiner	Lawson	Robbins	Stewart
Burtis	Gerst	Lee	Robertson	Stone
Bush	Glenn	Lounsbury	Robinson	Taylor
Butts	Gould	Marrin	Robson	Thompson
Chambers	Gray	Matthews	Roche	Thornton
Clark, F.E.	Higbie	McDermott	Scanlon	Tilton
Clark, J. H.	Hobbie	McNamee	Schillinger	Trainor
Conklin	Hoefer	Melody	Schoepflin	Tuttle
Cutler	Horton	Messiter	Schulz, H	Van Amber
Dean	Hotaling	Mittnacht	Seibert	Wells
Denniston	Houghton	Nixon	Sheffield	Whittet

Dinkelspiel	Howe	O'Grady	Sherwood	Wilcox
Eldredge	Keck	Parkhurst	Smith, M.F.	Wyckoff
Fairbrother	Kelsey			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish in the chair.

The Senate sent for concurrence the following entitled bill:

"An act amending the highway law, so called, as enacted by chapter 568 of the Laws of 1890, and the acts amendatory thereof" (Rec. No. 299), which was read the first.

Mr. Speaker asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	91	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Parkhurst	Smith, M.F.
Babcock	Friday	Kerrigan	Plant	Smith, S.W.
Baker	Fuller	Kneeland	Porter	Snyder
Braun	Gardiner	La Fetra	Prescott	Stadtfeld
Brownell	Gerst	Lasch	Rider, J.J.	Stein
Bush	Glenn	Lawson	Robbins	Stevens
Butts	Gould	Lee	Robertson	Stewart
Cassin	Gray	Lounsbury	Robinson	Stone
Chambers	Higbie	Loonan	Robson	Terry, C.W.
Clark, F.E.	Hobbie	Matthews	Roche	Thompson
Clark, J. H.	Hoefer	McDermott	Ryder, E.L.	Thornton
Conklin	Horton	McKeon	Scanlon	Tilton
Cutler	Hotaling	McNamee	Schillinger	Tuttle
Davidson	Houghton	Melody	Schoepfin	Van Amber
Dean	Howe	Messiter	Schulz, H	Wells
Denniston	Keleher	Myers	Seibert	Whittet
Eldredge	Kelsey	Nixon	Sheffield	Wilcox
Fairbrother	Kerr	O'Grady	Sherwood	Wyckoff
Finnigan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the calendar of the day.

The Senate bill (No. 450) entitled "An act to amend sections 992, 995, 996 and 998 of the Code of Civil Procedure, relating to exceptions and case on appeal" (Rec. No. 120), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 88 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Parkhurst	Snyder
Babcock	Finnigan	Kerr	Porter	Stadtfeld
Baker	Fish	Kern	Prescott	Stein
Berry	Friday	Kerrigan	Rider, J.J.	Stevens
Braun	Fuller	Kneeland	Robbins	Stewart
Brownell	Gardiner	La Fetra	Robertson	Stone
Bush	Gerst	Lasch	Robson	Taylor
Butts	Glenn	Lawson	Roche	Thompson
Cassin	Gould	Lee	Ryder, E.L.	Thornton
Chambers	Gray	Lounsbury	Scanlon	Tilton
Clark, F.E.	Higbie	Matthews	Schillinger	Tobin
Clark, J. H.	Hobbie	McDermott	Schoepflin	Tuttle
Conklin	Hoefler	McKeon	Seibert	Van Amber
Cutler	Horton	Melody	Sheffield	Vehslage
Dean	Hotaling	Messiter	Sherwood	Wells
Denniston	Houghton	Mitnacht	Smith, M.F.	Wilcox
Dinkelspiel	Howe	Nixon	Smith, S.W.	Wyckoff
Eldredge	Keck	O'Grady		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 623) entitled "An act to amend section 1690 of the Code of Civil Procedure" (Rec. No. 181), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Parkhurst	Stadtfeld
Babcock	Fish	Kerr	Plant	Stein
Baker	Friday	Kern	Porter	Stevens
Braun	Fuller	Kerrigan	Prescott	Stewart
Brownell	Gardiner	Kneeland	Rider, J.J.	Stone
Burtis	Gerst	Lasch	Robbins	Terry, J.F.
Bush	Glenn	Lawson	Robertson	Thompson
Butts	Gould	Lee	Robson	Thornton
Carroll	Gray	Lounsbury	Roche	Tilton
Chambers	Higbie	Marrin	Scanlon	Trainor
Clark, F.E.	Hobbie	Matthews	Schillinger	Tuttle
Clark, J. H.	Hoefer	McKeon	Schoepflin	Van Amber
Conklin	Horton	Melody	Schulz, H	Vehslage
Cutler	Hotaling	Messiter	Seibert	Wells
Dean	Houghton	Mitnacht	Sheffield	Wieman
Denniston	Howe	Myers	Smith, M.F.	Wilcox
Dinkelspiel	Keck	Nixon	Smith, S.W.	Wyckoff
Eldredge	Keleher	O'Grady	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Roche called from the table the bill No. 921, entitled "An act to provide for the legal inspection of stock corporations, other than moneyed, insurance and railroad corporations, organized under the laws of other States and doing business in this State" (Int. No. 378), previously laid on the order of third reading.

Said bill having been announced for a third reading,

Mr. Roche moved to amend the same as follows:

Section 1, line 3, after the word "State" insert the words "and co-operative, fraternal insurance companies, endowment orders and building and loan associations."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	}
{	NOES	1	}

Those who voted in the affirmative, were

Babcock	Foley	Kelsey	Porter	Stadtfeld
Baker	Friday	Kerr	Prescott	Stevens
Brownell	Fuller	Kern	Reilly	Stewart
Bush	Gardiner	Kerrigan	Rider, J.J.	Stone
Cain	Gerst	La Fetra	Robbins	Taylor
Carroll	Glenn	Lasch	Robertson	Terry, C.W.
Cassin	Gould	Lawson	Robinson	Terry, J.F.
Chambers	Gray	Lee	Robson	Thompson
Chapman	Harrigan	Lounsbury	Roche	Tilton
Clark, F.E.	Higbie	Marrin	Scanlon	Tobin
Clark, J. H.	Hobbie	Matthews	Schillinger	Tuttle
Conklin	Hoefer	McDermott	Schulz, H	Vacheron
Cutler	Horton	McNamee	Seibert	Van Amber
Davidson	Hotaling	Melody	Sheffield	Wells
Dean	Houghton	Messiter	Sherwood	Whittet
Dinkelspiel	Howe	Mittnacht	Smith, M.F.	Wieman
Fairbrother	Hoysradt	Myers	Smith, S.W.	Wilcox
Finnigan	Keck	O'Grady	Snyder	Wray
Fish	Kelcher	Parkhurst	Southworth	Wyckoff

In the negative

Ryder, E.L.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. O'Grady called from the table the bill (No. 998) entitled "An act to amend the railroad law relating, to abandonment of part of route" (Int. No. 913), previously laid aside on the order of third reading.

Said bill having been announced for a third reading,

Mr. O'Grady moved to amend the same as follows:

Page 1, line 7, after the word "or" insert "in cities having a population of less than 1,250,000, any such corporation."

Page 2, line 14, after the word "contract" insert "or any cities having a population of less than 500,000, in consequence of such."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 100 {
} NOES 00 {

Those who voted in the affirmative, were

Babcock	Fairbrother	Kelsey	Porter	Stadtfeld
Baker	Finnigan	Kerr	Prescott	Stevens
Braun	Fish	Kern	Reilly	Stewart
Brownell	Foley	Kerrigan	Rider, J.J.	Stone
Burtis	Friday	Kneeland	Robbins	Taylor
Bush	Fuller	La Fetra	Robertson	Terry, C.W.
Butts	Gardiner	Lasch	Robinson	Terry, J.F.
Cain	Gerst	Lawson	Robson	Thompson
Carroll	Glenn	Lee	Roche	Thornton
Cassin	Gould	Lounsbury	Scanlon	Tilton
Chambers	Gray	Marrin	Schillinger	Trainor
Chapman	Hobbie	Matthews	Schoepflin	Tuttle
Clark, F.E.	Hobbie	McDermott	Schulz, H	Vacheron
Clark, J. H.	Hoefler	McKeon	Seibert	Van Amber
Conklin	Horton	Melody	Sheffield	Vehslage
Coughlin	Hotaling	Messiter	Sherwood	Wells
Cutler	Houghton	Mittnacht	Smith, M.F.	Wieman
Dean	Howe	Myers	Smith, S.W.	Wilcox
Denniston	Keck	O'Grady	Snyder	Wray
Eldredge	Keleher	Parkhurst	Southworth	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 604) entitled "An act to amend section 2420 of the Code of Civil Procedure" (Rec. No. 171), having been announced for a third reading,

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 91 {
} NOES 00 {

Those who voted in the affirmative, were

Babcock	Eldredge	Keck	Nixon	Snyder
Baker	Fairbrother	Keleher	O'Grady	Stadtfeld
Braun	Fish	Kelsey	Parkhurst	Stein

Brennan	Foley	Kerr	Porter	Stevens
Brownell	Friday	Kern	Prescott	Stone
Bush	Fuller	Kerrigan	Rider, J.J.	Sulzer
Butts	Gardiner	Kneeland	Robbins	Terry, C.W.
Callahan	Gerst	La Fetra	Robertson	Terry, J.F.
Carroll	Glenn	Lawson	Robson	Thornton
Chambers	Gould	Lee	Roche	Tilton
Chapman	Gray	Lounsbury	Scanlon	Trainor
Clark, F.E.	Higbie	Marrin	Schoepflin	Tuttle
Clark, J. H.	Hobbie	Matthews	Schulz, F.F.	Vacheron
Conklin	Hoefler	McDermott	Schulz, H	Van Amber
Cutler	Horton	McKeon	Seibert	Wells
Dean	Hotaling	Melody	Sheffield	Whittet
Denniston	Houghton	Messiter	Sherwood	Wilcox
Dinkelspiel	Howe	Myers	Smith, M.F.	Wyckoff
Dowling				

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 627) entitled "An act to exempt the real property of the Hebrew Technical Institute in the city of New York from water rates" (Rec. No. 251), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

) AYES 95 }
) NOES 00 }

Those who voted in the affirmative, were

Babcock	Friday	Kern	Reilly	Stevens
Baker	Fuller	Kneeland	Rider, J.J.	Stewart
Berry	Gardiner	La Fetra	Robbins	Stone
Braun	Gerst	Lasch	Robertson	Sulzer
Brownell	Glenn	Lawson	Robson	Taylor
Bush	Gould	Lee	Roche	Terry, C.W.
Carroll	Gray	Lounsbury	Scanlon	Terry, J.F.
Cassin	Hennessy	Marrin	Schillinger	Thompson
Chambers	Higbie	Matthews	Schoepflin	Thornton
Clark, F.E.	Hobbie	McDermott	Schulz, F.F.	Tilton
Clark, J. H.	Hoefler	McKeon	Schulz, H	Trainor
Conklin	Horton	Melody	Seibert	Tuttle
Dean	Hotaling	Messiter	Sheffield	Van Amber
Dinkelspiel	Houghton	Mitnacht	Sherwood	Wells
Dowling	Howe	Myers	Smith, M.F.	Whittet

Fairbrother	Keck	O'Grady	Smith, S.W.	Wieman
Finnigan	Keleher	Parkhurst	Snyder	Wilcox
Fish	Kelsey	Porter	Southworth	Wray
Foley	Kerr	Prescott	Stadtfeld	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 697) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Edmund G. Lane against the State and to make an award therefor" (Rec. No. 228), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Hoysradt	Parkhurst	Stadtfeld
Baker	Fairbrother	Keck	Porter	Stein
Braun	Finnigan	Keleher	Prescott	Stevens
Brennan	Fish	Kelsey	Rider, J.J.	Stewart
Brownell	Foley	Kerr	Robbins	Stone
Bush	Friday	Kern	Robertson	Taylor
Butts	Fuller	Kerrigan	Robson	Terry, C.W.
Callahan	Gardiner	Kneeland	Roche	Terry, J.F.
Carroll	Gerst	La Fetra	Scanlon	Thompson
Chambers	Glenn	Lawson	Schillinger	Thornton
Chapman	Gould	Lee	Schoepflin	Tilton
Clark, F.E.	Gray	Lounsbury	Schulz, H	Tuttle
Clark, J. H.	Higbie	Marrin	Seibert	Van Amber
Conklin	Hobbie	Matthews	Sheffield	Wells
Cutler	Hoefler	McDermott	Sherwood	Wieman
Dean	Horton	McKeon	Smith, M.F.	Wilcox
Denniston	Hotaling	Melody	Smith, S.W.	Wray
Dinkelspiel	Houghton	Messiter	Snyder	Wyckoff
Dowling	Howe	Myers		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Thornton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be

sent to the Governor, requesting the return to the Assembly of Assembly bill No. 701, entitled "An act to amend the Code of Civil Procedure, relating to summary proceedings to recover the possession of real property," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate bill (No. 612) entitled "An act to provide for repairing and reconstructing the walls and banks and putting in safe and proper condition the channel of Falls creek, in the village of Havana, and making appropriation therefor" (Rec. No. 173), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stein
Babcock	Dinkelspiel	Keck	Parkhurst	Stevens
Baker	Dowling	Kelsey	Porter	Stewart
Braun	Eldredge	Kerr	Prescott	Stone
Brownell	Fairbrother	Kern	Rider, J.J.	Sulzer
Burtis	Fish	Kneeland	Robbins	Terry, C.W.
Bush	Foley	La Petra	Robertson	Terry, J.F.
Butts	Friday	Lasch	Robson	Thompson
Callahan	Fuller	Lawson	Roche	Thornton
Carroll	Gardiner	Lee	Scanlon	Tilton
Chambers	Gerst	Lounsbury	Schillinger	Tuttle
Chapman	Glenn	Marrin	Schoepflin	Vacheron
Clark, F.E.	Gould	Matthews	Schulz, H	Van Amber
Clark, J. H.	Gray	McDermott	Seibert	Wells
Conklin	Higbie	McKeon	Sheffield	Whittet
Corrigan	Hobbie	Melody	Sherwood	Wieman
Cutler	Horton	Messiter	Smith, M.F.	Wray
Davidson	Hotaling	Myers	Smith, S.W.	Wyckoff
Dean	Houghton	Nixon	Snyder	

Ordered that the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from

the Governor, for the purpose of amendment, Assembly bill (No. 805) entitled "An act to authorize the procuring of new grounds and the erection thereon of buildings for the use of the College of the City of New York, and to provide the means to pay for the same" (Int. No. 332), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate bill (No. 197) entitled "An act to provide and maintain a nautical school for the State of New York, and to merge therein the present nautical school maintained by the board of education of the city of New York" (Rec. No. 147), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
 { NOES 3 }

Those who voted in the affirmative, were

Babcock	Douglas	Howe	Parkhurst	Stevens
Baker	Eldredge	Keck	Porter	Stewart
Berry	Fairbrother	Keenan	Prescott	Stone
Braun	Fish	Keleher	Rider, J.J.	Sulzer
Brennan	Foley	Kerr	Robbins	Taylor
Brownell	Friday	Kern	Robertson	Terry, C. W.
Butts	Fuller	Kneeland	Robson	Terry, J.F.
Carroll	Gardiner	Lawson	Scanlon	Thompson
Chambers	Gerst	Lee	Schoepflin	Thornton
Chapman	Glenn	Marrin	Schulz, F.F.	Tilton
Clark, F.E.	Gould	Matthews	Schulz, H	Tuttle
Clark, J. H.	Gray	McDermott	Seibert	Van Amber
Conklin	Higbie	McKeon	Sheffield	Wells
Coughlin	Hobbie	McNamee	Sherwood	Whittet
Cutler	Hoefler	Melody	Smith, M.F.	Wieman
Dean	Horton	Messiter	Smith, S.W.	Wray
Denniston	Hotaling	Nixon	Snyder	Wyckoff
Dinkelspiel	Houghton			

Those who voted in the negative, were

Bush Dowling Kelsey

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 550) entitled "An act relating to canals, constituting chapter 13 of the general laws" (Rec. No. 125), having been announced for a third reading,

Mr. Ainsworth moved to strike out the enacting clause.

Pending the consideration of the motion,

Mr. Ainsworth moved that the House take a recess for five minutes, in order that we may have the pleasure of receiving the Hon. Thomas G. Alvord, ex-Speaker of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed Messrs. Ainsworth and Sulzer a committee to conduct Mr. Alvord to the chair.

Said committee discharged that duty and Mr. Alvord addressed the House, as follows :

Mr. Speaker and Gentlemen of the Assembly of the State of New York : It is my pride to be able to announce to you that I am much pleased with the manner the present Legislature has discharged its duties during the session. It is fifty years ago at this time when I first appeared as a member from the county of Onondaga. During that time I have seen, as a matter of course, very many changes in the past, and very many changes are probable to come, I hope, within my lifetime, for the better of the whole community. I thank you very much indeed, in the name of the people of my locality, and, I think, of the whole State, in reference to your earnest endeavors for the purity of the ballot, but I desire to say to you and now, and to the people of the State that all that can be really done for that purity must be done by the people at the polls. I should be glad for one if you had the constitutional power invested in you to compel, by pain of imprisonment and fine, everyone's attendance at the polls at each and every election. I think if that could be done there would be no need of anything to secure legislation to secure that purity. Upon the people of the country depends the perpetuity of the country. If we could pass laws in reference to their duties as we do for boys compelled to go to school by the compulsory education law we should arrive at the result we hope for.

Again thanking you for the manner in which you have received me, I beg to take my seat.

ELEVEN O'CLOCK AND THIRTY-FIVE MINUTES A. M.

The House again resumed business.

Mr. Hennessy rose to a question of personal privilege in the words following :

Mr. Speaker, I rise to a question of personal privilege. The

New York Times this morning alleges that I have used improper means in this House and outside the floors of this House to defeat a bill which was introduced early in the session by the honorable gentleman who represents the fifth Senatorial district of this State. The statement in the Times this morning, which I am very happy to say is not written by the esteemed representative of the House on this floor, because aside from the fact that he is an honorable gentlemen, his intelligence would not permit him to make a statement so absurdly false.

The Times alleges this bill has been in this House purposely and improperly delayed by me and the honorable leader from Oswego and the gentleman who occupies the Speaker's chair. I desire to say this bill did not come into this House, as a matter of fact, and was not reported into this House until last Friday. That bill is on the calendar, I think on page 15; that it is properly on the calendar of the House; that I have never spoken to a single Republican member of this House in relation to the bill outside of the members of the committee who had control of the bill, and I only spoke to them about the bill in this legitimate way: I did once personally ask the Republican members of the cities committee to delay the bill for one week, so that the trustees might have a hearing, and with that courtesy for which the chairman of the cities committee is noted, and the courtesy of the members of the cities committee, both Republican and Democrat, are noted for, the bill was laid over one week, legitimately, for a hearing. That is the only connection I have had with the bill.

The New York Times stated my interest in the bill is because of the fact that I have a number of heelers employed on the bridge. I desire to say I have not the personal acquaintance of any trustee of the bridge; that I do not know anyone on the bridge; that I never asked for an appointment on the bridge by anyone, or for anyone, or through anyone; that I did not intend to ask for an appointment on the bridge, and do not intend to.

I trust that when this bill comes up in this House that no attacks made in this paper will induce any member of the House to vote for the bill because of the attack. I trust they will take the bill on its merits and vote on the merits irrespective of what the New York Times says.

I think I can trust my reputation to this House.

The question pending being upon the motion of Mr. Ainsworth to strike out the enacting clause of Senate bill No. 550, entitled "An act relating to the canals, constituting chapter 13 of the general laws" (Rec. No. 125),

Mr. Ainsworth withdrew said motion.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 100 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Hotaling	Messiter	Southworth
Babcock	Dowling	Houghton	Myers	Stadtfeld
Baker	Eldredge	Howe	O'Grady	Stevens
Berry	Fairbrother	Keck	Parkhurst	Stewart
Brennan	Finnigan	Keleher	Porter	Stone
Brownell	Fish	Kelsey	Prescott	Sulzer
Bush	Foley	Kerr	Rider, J.J.	Taylor
Butts	Friday	Kern	Robbins	Ferry, C.W.
Cain	Fuller	Kerrigan	Robertson	Terry, J.F.
Carroll	Gardiner	Kneeland	Robson	Thompson
Chambers	Gerst	La Fetra	Scanlon	Thornton
Chapman	Gleason	Lasch	Schoepflin	Tilton
Clark, F.E.	Glenn	Lawson	Schulz, F.F.	Trainor
Clark, J. H.	Gould	Lounsbury	Schulz, H	Tuttle
Conklin	Gray	Loonan	Seibert	Vacheron
Cutler	Hennessy	Marrin	Sheffield	Van Amber
Davidson	Higbie	Matthews	Sherwood	Wells
Dean	Hobbie	McDermott	Smith, M.F.	Whittet
Denniston	Hoefer	McKeon	Smith, S.W.	Wilcox
Dinkelspiel	Horton	Melody	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 701, entitled "An act to amend the Code of Civil Procedure, relating to summary proceedings to recover the possession of real property" (Int. No. 183), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Pursuant to notice previously given, Mr. Ainsworth moved to suspend rules 3, 15, 16, 17, 28, 29 and 49, for the purpose of reading out of its order Assembly bill No. 776, entitled "An act to amend chapter 304 of the Laws of 1892, entitled 'An act to provide for the appointment of a board of water commissioners for the city of Albany'" (Int. No. 725), now on the order of third reading and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion to suspend the rules, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

{ AYES 66 }
{ NOES 37 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Kern	Robertson	Terry, C W.
Babcock	Gardiner	Kneeland	Robson	Terry, J.F.
Baker	Gerst	Lawson	Ryder, E.L.	Thornton
Braun	Glenn	Lee	Scanlon	Tilton
Brownell	Gould	Lounsbury	Schoepflin	Tuttle
Burtis	Higbie	Matthews	Schulz, F.F.	Vacheron
Chambers	Hobbie	Messiter	Schulz, H	Van Amber
Clark, F.E.	Hoefler	O'Grady	Seibert	Wells
Clark, J. H.	Hotaling	Parkhurst	Sheffield	Whittet
Conklin	Houghton	Porter	Sherwood	Wilcox
Denniston	Howe	Prescott	Smith, M.F.	Wray
Fairbrother	Keck	Rider, J.J.	Snyder	Wyckoff
Fish	Kelsey	Robbins	Stewart	Speaker
Friday				

Those who voted in the negative, were

Berry	Corrigan	Hoysradt	McDermott	Roche
Bush	Davidson	Keleher	McKeon	Schillinger
Butts	Dinkelspiel	Kerr	McNamee	Southworth
Cahill	Dowling	Kerrigan	Melody	Stadtfeld
Cain	Finnigan	La Fetra	Myers	Sulzer
Callahan	Foley	Lasch	O'Donnell	Trainor
Carroll	Gleason	Marrin	Reilly	Vehslage
Chapman	Harrigan			

Said bill was then announced for a third reading.

Debate being had thereon,

Said bill was read the third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
 { NOES 35 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Ryder, E.L.	Thompson
Babcock	Fuller	Lawson	Scanlon	Thornton
Baker	Gardiner	Lee	Schoepflin	Tilton
Braun	Gerst	Lounsbury	Schulz, H	Tuttle
Brownell	Glenn	Matthews	Seibert	Vacheron
Burtis	Gould	Messiter	Sheffield	Van Amber
Chambers	Gray	O'Grady	Smith, M.F.	Wells
Clark, F.E.	Higbie	Parkhurst	Smith, S.W.	Whittet
Clark, J. H.	Hobbie	Porter	Snyder	Wieman
Conklin	Hoefer	Prescott	Stevens	Wilcox
Denniston	Hotaling	Rider, J.J.	Stewart	Wray
Eldredge	Houghton	Robbins	Stone	Wyckoff
Fairbrother	Howe	Robertson	Terry, C W.	Speaker
Fish	Kelsey	Robson	Terry, J.F.	

Those who voted in the negative, were

Berry	Corrigan	Gleason	Lasch	Roche
Brennan	Coughlin	Harrigan	Marrin	Schillinger
Butts	Dinkelspiel	Hennessy	McDermott	Southworth
Cain	Douglas	Kelcher	McKeon	Stadtfeld
Callahan	Dowling	Kerr	McNamee	Sulzer
Carroll	Finnigan	Kerrigan	O'Donnell	Tobin
Chapman	Foley	La Petra	Reily	Vehslage

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish gave notice that on some future day he would move to suspend Assembly rules Nos. 3, 15, 16, 17, 28, 29 and 49, for the purpose of reading out of its order on second and third readings, Assembly bill No. 1365, entitled "An act to revise the charter of the city of Yonkers" (Int. No. 864), now on the order of second reading.

Mr. Fish gave notice that on some future day he would move to suspend Assembly rules Nos. 3, 15, 16, 17, 28, 29 and 49, for the purpose of reading out of its order on second and third readings, Assembly bill No. 1285, introduced by Mr. Chambers, entitled "An act to establish and maintain a police force in the city of Troy" (Int. No. 1140), now on the order of second reading.

Mr. Thornton moved to take from the table the motion to reconsider the vote by which the Senate bill (No. 188) entitled "An act to consolidate 'The Mohawk and Hudson River Humane Society,' and 'The Mohawk and Hudson River Humane Society for the Prevention of Cruelty to Animals'" (Rec. No. 155), was lost.

Mr. Speaker put the question on the motion to take from the table, and it was determined in the affirmative.

Mr. Thornton then moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 25 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Hoefler	Matthews	Sherwood
Babcock	Dowling	Horton	McNamee	Smith, M.F.
Baker	Eldredge	Hotaling	Messiter	Snyder
Berry	Fairbrother	Houghton	Nixon	Stewart
Braun	Fish	Howe	O'Grady	Stone
Brennan	Friday	Hoysradt	Parkhurst	Terry, C.W.
Brownell	Fuller	Keck	Plant	Terry, J.F.
Bush	Gardiner	Keenan	Prescott	Thornton
Butts	Gerst	Kelsey	Reilly	Tilton
Carroll	Gleason	Kern	Rider, J.J.	Tuttle
Chambers	Glenn	Kneeland	Robbins	Vacheron
Chapman	Gould	La Fetra	Robson	Van Amber
Clark, F.E.	Gray	Lasch	Ryder, E.L.	Wells
Clark, J. H.	Harrigan	Lawson	Scanlon	Wilcox
Conklin	Higbie	Lee	Schulz, H	Wray
Dean	Hobbie	Lounsbury	Sheffield	Wyckoff
Dinkelspiel				

Those who voted in the negative, were

Callahan	Kerr	Melody	Robinson	Stadtfeld
Corrigan	Kerrigan	Mitnacht	Schillinger	Sulzer
Cutler	Marrin	O'Donnell	Schoepflin	Tobin
Hennessy	McDermott	Porter	Seibert	Vehslage
Keleher	McKeon	Robertson	Southworth	Whittet

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 9 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Houghton	Myers	Sherwood
Babcock	Fairbrother	Howe	Nixon	Smith, M.F.
Baker	Fish	Hoysradt	O'Grady	Smith, S.W.
Braun	Friday	Keck	Parkhurst	Snyder
Brennan	Fuller	Keenan	Prescott	Southworth
Brownell	Gardiner	Kelsey	Reilly	Stewart
Cain	Gerst	Kern	Rider, J.J.	Taylor
Carroll	Glenn	Kerrigan	Robertson	Terry, C.W.
Chambers	Gould	Kneeland	Robinson	Terry, J.F.
Chapman	Gray	Lasch	Robson	Thornton
Clark, J. H.	Harrigan	Lawson	Roche	Tilton
Conklin	Higbie	Lee	Ryder, E.L.	Vacheron
Cutler	Hobbie	Lounsbury	Schoepflin	Van Amber
Dean	Hoefer	Matthews	Schulz, H.	Wells
Douglas	Horton	McNamee	Seibert	Wilcox
Dowling	Hotaling	Messiter	Sheffield	Wyckoff

Those who voted in the negative, were

Dinkelspiel	Marrin	O'Donnell	Sulzer	Whittet
Keleher	McKeon	Porter	Tobin	

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

A message from the Governor, by the hands of his private secretary, was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 5, 1894. }

To the Assembly :

Assembly bill No. 1138, entitled "An act to authorize the city of Buffalo to issue a bond or bonds for the purpose of raising money with which to redeem an outstanding bond for \$200,000," is hereby returned without approval.

The bill is unnecessary. Its purpose can be accomplished without special legislation under section 7 of the General Municipal Law, as amended by chapter 466 of the Laws of 1893.

ROSWELL P. FLOWER.

On motion of Mr. Whittet, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 5, 1894.

To the Assembly:

Assembly bill No. 617, entitled "An act to amend chapter 219 of the Laws of 1874, entitled 'An act authorizing Erminda O. Goodwin to continue a ferry across Seneca lake,'" is herewith returned without approval.

This is unnecessary special legislation. The county judge already has power to extend this ferry franchise for a period of five years, and that ought to be long enough for a single grant.

ROSWELL P. FLOWER.

On motion of Mr. Snyder, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 5, 1894.

To the Assembly:

Assembly bill No. 312, entitled "An act to amend the county law, relative to the general powers of the board of supervisors," is herewith returned without approval.

In its present shape this bill would be a nullity even if enacted, for it contains no provisions for a penalty for peddling without a supervisors' license. Therefore, if signed it would impose on counties the unnecessary expense of advertising the regulations of the board of supervisors governing the issue of licenses for peddling, and would bring no money to the county treasury if peddlers chose to ignore the regulations. Even did these objections not exist, I can not see any particular necessity for the bill's enactment.

ROSWELL P. FLOWER.

On motion of Mr. Eldredge, said bill and the accompanying message was laid upon the table.

Also, the following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 5, 1894.

To the Assembly:

Assembly bill (No. 794) entitled "An act to amend an act to incorporate the Troy Female Seminary," is herewith returned without approval.

Whatever may have been the practice in 1837 at the time of the incorporation of this seminary, it seems to me that it is no longer consistent with the principles of wise legislation that the Legislature should undertake to name the trustees of a private corporation. The exercise of this power in this bill is the reason

for my refusal to permit the measure to become a law. The proposed increase in the number of trustees (from fifteen to seventeen) can be accomplished by the membership corporations law, now pending in the Legislature, if the same shall be enacted, as seems likely.

ROSWELL P. FLOWER.

On motion of Mr. Keenan, said bill and the accompanying message were laid upon the table.

Mr. Taylor called from the table the bill (No. 993, Int. No. 907), entitled "An act to amend section 11 title 21 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to police justices and police courts," previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	73	}
{	NOES	2	}

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Reilly	Stewart
Babcock	Dinkelspiel	Houghton	Robbins	Stone
Baker	Dowling	Kelsey	Robertson	Sulzer
Berry	Eldredge	Kneeland	Robson	Taylor
Brennan	Fairbrother	Lasch	Roche	Terry, C.W.
Brownell	Fish	Lawson	Scanlon	Terry, J.F.
Burtis	Foley	Lee	Schoepflin	Thompson
Butts	Friday	Matthews	Schulz, F.F.	Trainor
Carroll	Fuller	McKeon	Schulz, H	Tuttle
Cassin	Gerst	Messiter	Seibert	Van Amber
Chambers	Glenn	Myers	Sherwood	Vehslage
Chapman	Gould	Nixon	Smith, M.F.	Wells
Conklin	Gray	O'Grady	Smith, S.W.	Wray
Cutler	Hobbie	Parkhurst	Stadtfeld	Wyckoff
Davidson	Hoefler	Porter		

Those who voted in the negative, were

Kerr	Plant
------	-------

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hobbie moved that the time in which the committee on insurance may make reports, be extended until April 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Taylor moved that the time in which the committee on public health may make reports, be extended until April 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth in the chair.

Mr. Sulzer called from the table the bill (No. 556) entitled "An act to provide for the appointment of additional deputy factory inspectors" (Int. No. 522), previously laid aside on the order of third reading.

Debate being had thereon,

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }
{ NOES 51 }

Those who voted in the affirmative, were

Berry	Davidson	Herrman	McKeon	Schillinger
Brennan	Denniston	Hoefer	McNamee	Schulz, F.F.
Bush	Dinkelspiel	Hoysradt	Melody	Schulz, H
Butts	Douglas	Keenan	Myers	Southworth
Cahill	Dowling	Keleher	O'Donnell	Stadtfeld
Cain	Finnigan	Kerr	O'Grady	Sulzer
Callahan	Foley	Kerrigan	Plant	Taylor
Carroll	Gardiner	La Fetra	Reilly	Tobin
Cassin	Gleason	Lasch	Robertson	Trainor
Chapman	Gray	Loonan	Robinson	Vehslage
Corrigan	Harrigan	Marrin	Roche	Wieman
Coughlin	Hennessy	McDermott	Scanlon	

Those who voted in the negative, were

Babcock	Friday	Kelsey	Robson	Terry, J.F.
Baker	Fuller	Kneeland	Schoepflin	Thornton
Braun	Gerst	Lawson	Seibert	Tilton
Brownell	Gould	Lee	Sheffield	Tuttle
Burtis	Higbie	Matthews	Sherwood	Vacheron
Chambers	Hobbie	Messiter	Smith, M. F.	Van Amber
Clark, J. H.	Horton	Parkhurst	Smith, S.W.	Wells

Conklin	Houghton	Porter	Snyder	Whittet
Dean	Howe	Prescott	Stewart	Wyckoff
Eldredge	Keck	Robbins	Stone	Speaker
Fairbrother				

Mr. Sulzer moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer rose to a question of privilege, and said :

Mr. Speaker: I rise to a question of personal privilege. I am informed by two of my colleagues on the minority side, who have kept a tally of the vote by which this bill was lost, that the bill received sixty-four votes. The bill had sixty-one votes when three members of the House voted in the affirmative. I simply want fair play. I simply want that clerk, and I serve notice on him now if he juggles with the vote—

Mr. Speaker—The gentleman should be parliamentary in his language.

Mr. Sulzer—I know my rights and I intend to have them. I do not care how many votes he puts down for a local measure, but on a measure like this it is the duty of the clerk to be honest, and he ought to be honest.

Mr. Speaker—The clerk is honest. This is no impeachment.

Mr. Sulzer—The clerk is impeached by two members.

Mr. Malby rose to a question of privilege and stated as follows :

I scarcely think the Clerk of the House needs any defense at my hands. It is proper to say this House is not run by the gentleman from New York alone and I believe the Republicans of this House ought to and will resent any imputation by the gentleman from New York here or anywhere else against his integrity. A detailed statement was called for and given and no member on the floor challenged him, because it could not be challenged. He needs no defense. He is intelligently, conscientiously and properly conducting his work. I think it is grossly out of order to get up and challenge the desk when he has no opportunity to reply. No criticisms was made on the announcement of the result, because it was right, and when the officers of the House are maliciously annoyed, I shall do all I can to protect them.

Mr. Hennessy — I rise to a question of personal privilege. The gentleman from St. Lawrence, who has just sat down, has

spoken unquestionably as he believes truthfully, and he would not under any circumstances do anything else. But, Mr. Speaker, I desire to say, and I say it of my own knowledge, that this is not the first time that the Clerk of the House has improperly recorded the vote.

Mr. Malby — A point of order, Mr. Speaker. The gentleman is not stating a question of personal privilege.

Mr. Hennessy — I am about to state a question of privilege affecting a bill of my own. On a bill of mine on last Monday night, on which I kept a personal tally and on which I did not speak because I thought it was a purely political matter, where I can say to the House the killing of the bill would keep a Democrat in office and the passage of the bill would put a Republican in office, I did not speak. The bill is dead and cannot be revived, but on that roll call that bill received only fifty-seven affirmative votes. I kept a tally. And the Clerk gave the votes sixty-three. Three of those members were not in the House. I did not rise to a question of privilege at that time, but I do now. I say on this last bill we had sixty-three votes before the gentleman changed, and that made sixty-four.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 293, entitled "An act to make the office of the county clerk of Niagara county a salaried office and regulating the management of said office" (Rec. No. 208), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 392, entitled "An act defining the status of certain town cemetery associations" (Rec. No. 366), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 666, entitled "An act to amend section 5 of chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association'" (Int. No. 591), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Higbie offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 192, entitled "An act to amend the highway law, relating to application for commissioners and their decision in certain cases," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Burtis offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 848, entitled "An act to amend chapter 187 of the Laws of 1862, entitled 'An act to incorporate the Board of Foreign Missions of the Presbyterian Church in the United States of America,' and to regulate the number of trustees," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the Superintendent of Public Instruction in words following:

STATE OF NEW YORK — DEPARTMENT OF PUBLIC INSTRUCTION, }
SUPERINTENDENT'S OFFICE, ALBANY, April 2, 1894. }

To the Legislature of the State of New York:

By chapter 726 of the Laws of 1893, I was authorized to have the general school laws of this State revised, amended and codified, and report the same to the Legislature at the next (the present) session.

Pursuant to such authority I have caused to be prepared, under my supervision, "An act to revise, amend and consolidate the general acts relating to public instruction," to be known as the "Consolidated School Law," and such proposed act is herewith transmitted.

The consolidated school act, at present in force, was passed May 2, 1864, nearly thirty years ago, and will be found in chapter 555 of the Laws of 1864. Said act of 1864 has been amended by the Legislature, since 1864, as often as once during each session, and in many of such sessions, has been amended many times during one session. There have also been many general laws relating to public education and the public schools of the State, passed since 1864, that have not been passed as amendments of said consolidated school act, but independent statutes.

In addition, during the last thirty years, decisions have been made in the courts of the State in actions and proceedings therein relating to the public schools, which have interpreted provisions of said consolidated and general school law, and in many cases have, in the absence of statutory provisions, made judicial law in relation to such schools. In the many appeals taken to the Superintendent of Public Instruction, under title 12 of the consolidated school act of 1864, many decisions have been made, establishing the law in the matters relating to the public schools that are not covered by any statutory provision.

After a careful examination of said act of 1864, as amended, and the additional general laws relating to public education, and the fact that there is received daily at the Department of Public Instruction, a large amount of correspondence from school commissioners, boards of education, trustees of school districts, teachers and voters in school districts, making inquiries as to what the school law is on a variety of subjects, and for instructions as to their rights, powers, duties and liabilities thereunder, I became convinced of the necessity of having an act prepared revising and amending the several general acts relating to public instruction, and consolidating all such general acts in one act, compact in form under proper titles and subjects, arranged correlatively.

In the proposed act herewith transmitted, no radical changes have been made. The text of the sections of the general laws have been carefully revised, and errors, inconsistencies and ambiguities therein, corrected; amendments have been made

where the text therein was not sufficiently explicit, and the powers and duties of voters and school officers not definitely set forth; separate general acts relating to the schools have been included herein and arranged under their proper headings; laws regulating the powers and duties of school officers, and of the voters of the district, as established by the courts of the State, or by the Superintendent of Public Instruction upon appeals, not now forming a part of the text of the present laws, have, in more important matters, been made parts of the proposed law.

No changes have been made relative to any special acts, organizing any school district of the State, or of any special acts relating to the schools of the cities of the State.

Believing that the proposed act, herewith submitted, will, if enacted into a law, prove to be for the best educational interests of the public schools of the State, I respectfully ask the prompt and careful examination of its provisions by the Legislature, and trust and hope that the same will be approved.

Very respectfully yours.

J. F. CROOKER,

State Superintendent of Public Instruction.

By unanimous consent,

Mr. Bush introduced a bill entitled "An act to revise, amend and consolidate the general acts relating to public instruction" (Int. No. 1451), which was read the first time.

Mr. Bush asked unanimous consent that said bill do now have its second reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second time, ordered to a third reading and referred to the committee on public education.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the following entitled bills:

"An act making appropriation for the construction and repair of a stone wall in the village of Fort Edward, located on South Broadway, near the aqueduct of the Champlain canal." (Int. No. 1069.)

"An act to provide for the construction of roads by local assessment, county and State aid." (Int. No. 1031.)

"An act to amend the insurance law, relating to estimates of liabilities and percentage chargeable on unearned premiums." (Int. No. 942.)

"An act providing for the acquirement of lands for the Adirondack park under the right of eminent domain." (Int. No. 1175.)

"An act to enable the towns and cities of this State to use the Myers automatic ballot machine at all elections therein." (Int. No. 25.)

"An act to amend the insurance law, relating to exemption of certain societies and lodges." (Int. No. 249.)

"An act to amend the highway law, relative to the county roads and to the money system of working the highways." (Int. No. 967.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of fire." (Int. No. 1052.)

The privileges of the floor were extended to Hons. J. S. Whipple, Obed Wheeler and Geo. M. Fletcher, former members of this House.

Leave of absence was granted to Mr. Howe until Tuesday, April 10, and to Mr. Stevens indefinitely.

The Senate returned the bill (No. 1045) entitled "An act making an appropriation for the construction of a bridge in the Allegany reservation across the Allegany river, in the town of Elko, in the county of Cattaraugus" (Int. No. 129), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented a petition of the citizens of St Lawrence county for the passage of Assembly bill No. 585 (Int. No. 546), known as the itinerant vendors' act; which was laid upon the table.

On motion of Mr. Thornton, the House adjourned.

FRIDAY, APRIL 6, 1894.

The House met pursuant to adjournment.

Prayer by Rev. R. H. Shirley.

On motion of Mr. Higbie, the journal of yesterday was approved without being read.

By unanimous consent,

Mr. O'Grady introduced a bill entitled "An act to authorize

the city of Rochester to issue bonds to pay for a water distributing system" (Int. No. 1450), which was read the first time.

Mr. O'Grady asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefer	O'Grady	Snyder
Babcock	Denniston	Horton	Porter	Stadtfeld
Baker	Dinkelspiel	Hotaling	Reilly	Stein
Berry	Douglas	Houghton	Robbins	Stewart
Braun	Eldredge	Keck	Robertson	Stone
Brownell	Fairbrother	Kelsey	Robinson	Sulzer
Bush	Finnigan	Kerr	Roche	Taylor
Butts	Fish	Kern	Ryder, E.L.	Thompson
Callahan	Fuller	Kneeland	Schillinger	Thornton
Carroll	Gardiner	Lawson	Schoepffin	Tilton
Cassin	Gerst	Lee	Schulz, F.F.	Tobin
Chambers	Gleason	Lounsbury	Seibert	Whittet
Clark, J. H.	Glenn	Marrin	Sheffield	Wilcox
Conklin	Gould	Matthews	Sherwood	Wyckoff
Cutler	Harrigan	McDermott	Smith, M.F.	Speaker
Davidson	Higbie	McNamee	Smith, S.W.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Election Law, being chapter 680 of the Laws of 1892" (No. 784, Rec. No. 303), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoefer	McKeon	Schoepflin
Babcock	Douglas	Horton	McNamee	Seibert
Baker	Eldredge	Hotaling	Messiter	Sherwood
Braun	Fairbrother	Houghton	Mittnacht	Smith, M.F.
Brownell	Finnigan	Keck	Myers	Smith, S.W.
Bush	Fish	Keleher	O'Grady	Stadtfeld
Butts	Friday	Kelsey.	Plant	Stewart
Callahan	Fuller	Kerr	Porter	Stone
Cassin	Gardiner	Kern	Prescott	Taylor
Chambers	Gleason	Kneeland	Reilly	Thornton
Clark, J. H.	Glenn	Lasch	Rider, J.J.	Tilton
Conklin	Gould	Lawson	Robbins	Trainor
Corrigan	Gray	Lee	Robertson	Vehslage
Cutler	Harrigan	Lounsbury	Robinson	Wells
Davidson	Herrman	Loonan	Roche	Whittet
Dean	Higbie	Matthews	Ryder, E.L.	Wilcox
Denniston	Hobbie	McDermott	Schillinger	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the charter of the United States Mortgage Company" (not printed, Rec. No. 304), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Porter	Stein
Babcock	Eldredge	Keleher	Prescott	Stevens
Baker	Fairbrother	Kelsey	Reilly	Stewart

Berry	Fish	Kerr	Rider, J.J.	Stone
Braun	Foley	Kern	Robbins	Sulzer
Brownell	Friday	Kerrigan	Robertson	Taylor
Bush	Fuller	Kneeland	Robinson	Thompson
Butts	Gardiner	Lawson	Robson	Thornton
Callahan	Gerst	Lee	Roche	Tilton
Carroll	Glenn	Lounsbury	Ryder, E.L.	Tobin
Cassin	Gould	Loonan	Schillinger	Trainor
Clark, J. H.	Harrigan	Marrin	Schoepflin	Van Amber
Conklin	Herrman	Matthews	Seibert	Vehslage
Coughlin	Higbie	McDermott	Sheffield	Wells
Cutler	Hobbie	McKeon	Sherwood	Whittet
Davidson	Hoefler	Melody	Smith, M.F.	Wilcox
Dean	Horton	Messiter	Smith, S.W.	Wray
Denniston	Hotaling	O'Grady	Snyder	Wyckoff
Dinkelspiel	Houghton	Parkhurst	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act to authorize local authorities to contract for the purification of water and sewerage" (Int. No. 1449), which was read the first time and referred to the committee on general laws.

On motion of Mr. Fish, the committee on general laws was discharged from the consideration of said bill, and the same was referred to the committee on affairs of cities.

A message from the Governor, by the hands of his private secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 5, 1894.

To the Assembly:

Assembly bill No. 545, entitled "An act to amend the Code of Civil Procedure, relating to practicing attorneys in New York, Kings and Queens counties," is herewith returned without approval.

By the present law any person may practice law in the lower courts not of record in this State, although not an admitted attorney, except in New York and Kings counties, which are excepted from the general rule in this respect by section 63 of the Code of Civil Procedure. This bill proposes to extend such exception to Queens county, so that laymen shall not be permitted to practice law in justices' courts and other inferior courts not of record in that county.

Queens county is not exceptionally constituted like New York and Kings counties. Justices' courts are peculiarly the people's courts, in which neighbors are allowed to assist each other without the necessity of calling upon lawyers.

There does not appear to be any sufficient reason why Queens county should be excepted from the practice which has prevailed so long, and is upon the whole satisfactory in all the other counties of the State similarly situated.

ROSWELL P. FLOWER.

On motion of Mr. Southworth, said bill and the accompanying message were laid upon the table.

The Senate sent for concurrence the following entitled bill:

"An act to amend the Penal Code, in relation to illegal voting" (No. 914, Rec. No. 298), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The clerk called the roll and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 6 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keck	Rider, J.J.	Stone
Babcock	Friday	Kelsey	Robbins	Sulzer
Baker	Fuller	Kern	Robertson	Taylor
Berry	Gardiner	Kneeland	Robson	Terry, C.W.
Braun	Gerst	Lasch	Roche	Terry, J.F.
Brownell	Glenn	Lawson	Schillinger	Thornton
Bush	Gould	Lee	Schoepflin	Tilton
Callahan	Gray	Matthews	Schulz, F.F.	Tobin
Cassin	Harrigan	McDermott	Seibert	Trainor
Chambers	Hennessy	Melody	Sherwood	Tuttle
Clark, J. H.	Higbie	O'Grady	Smith, M.F.	Vehtslage
Conklin	Hobbie	Parkhurst	Smith, S.W.	Whittet
Dean	Hoefler	Porter	Snyder	Wilcox
Denniston	Horton	Prescott	Stein	Wray
Dinkelspiel	Hotaling	Reilly	Stewart	Wyckoff
Eldredge	Houghton			

Those who voted in the negative, were

Butts	Davidson	Foley	Kerr	Marrin
Cain				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 576) entitled "An act making an appropriation for the support of government" (Int. No. 582), with a message that they have concurred in the passage of the same with the following amendments :

(Reference to printed bill No. 576.)

Amend the title by striking out the word "an," and add the letter "s" to the word appropriation" so that it will read "An act making appropriations for government."

Page 2, line 22, add the letter "s" to the word "expense."

Page 3, line 15, add the following:

"For keeping up the State library used by the judges of the Court of Appeals, twenty-five hundred dollars."

Page 2, line 25, after the word "office" insert the words "rent and other."

Page 4, line 11, after the word "third" strike out the word "and," and after the word "fourth" insert the words "and eighth."

Same page, line 13, strike out the words "ten thousand" and insert in place thereof the words "twelve thousand five hundred."

Page 6, line 17, after the word "dollars" insert the following : "to be disbursed on the order and approval of the Attorney-General. All fees of every name and nature received by said clerk or any of his deputies or employes shall be turned into the State treasury, and all laws allowing fees of any kind to said clerk or his deputy are hereby repealed."

Page 7, line 17, strike out the word "amounts" and insert the word "accounts."

Page 8, line 24, after the word "clerks" insert the words "and draftsmen."

Page 9, line 3, strike out the words "one thousand five hundred" and insert the words "two thousand one hundred."

Same page, line 10, strike out the word "sixteen" and insert the word "eighteen."

Same page, line 14, strike out the word "school" and insert the word "schools."

Page 13, line 21, strike out the word "three" and insert the word "five."

Page 14, line 15, after the word "ninety" strike out the word "two" and insert the word "three."

Page 15, line 3, commencing with the word "clerks," strike out all down to and including the word "inspectors" in line 6, and insert the words "report clerk, printing clerk, stenographer, page and other office assistance, for traveling expenses of regents and offices."

Same page, lines 12 and 13, strike out the word "appropriated" and insert the word "apportioned."

Page 16, line 2, after the word "department" insert the words "and for furniture, fittings, supplies, printing, telegraphing, repairs and other incidental expenses."

Same page, line 18, after the word "dollars" insert the words "payable upon the certificate of the State Geologist and the audit of the Comptroller."

Page 16, strike out all of line 19 down to and including line 26, and on page 17 all of line 1 down to and including line 10, and insert the following:

"DEPARTMENT OF AGRICULTURE.

"For the promotion of agriculture in this State, sixty-four thousand dollars; twenty thousand dollars thereof shall be distributed in premiums by the New York State Agricultural Society; twenty thousand dollars thereof shall be distributed by the Commissioner of Agriculture among the county agricultural societies of this State, and to the American Institute of the City of New York, as follows: One-half thereof shall be apportioned and distributed equally, and the remainder in proportion to actual premiums paid during the previous year by such societies and institute, exclusive of premiums paid for racing; twenty-four thousand dollars which shall be paid as follows: the sum of two thousand dollars to any society, club or exposition which shall have held annual fairs during each of the three years next preceding such distribution, and which shall have paid at each of its annual meetings or fairs during such three years, three thousand dollars as premiums for agricultural interests, exclusive of the premiums paid for racing, and shall on or before the first day of December in such year file a statement in duplicate, verified by its president and treasurer, showing such payment, together with the amount of each premium and the name of the person to whom it was paid, one of which statements shall be filed in the office of the Commissioner of Agriculture, and the other in the office of the comptroller, and shall file a written offer and bond to be approved by the comptroller, to the effect that such society, club or exposition will act as an agent of the State for the distribution and payment of such money for premiums at its annual fair; but if such society, club or exposition shall receive two thousand dollars as herein provided, it shall not receive any portion of the moneys collected from racing associations, or moneys already appropriated for the benefit of county agricultural societies; the balance of the said twenty-four thousand dollars not distributed as herein provided, to be distributed among the county agricultural societies of the State as follows: one-half of said balance to be apportioned and distributed equally, and the remainder in proportion to the actual premiums paid during the previous year by such societies exclusive of premiums paid for racing.

“Chapter 354 of the Laws of 1891, and section 89 of the agricultural law are hereby repealed.”

Page 17, line 21, strike out the word “forty” and insert the word “fifty.”

Page 16, strike out all of lines 5, 6, 7 and 8, and in line 4 strike out the word “nineteen” and insert the word “twenty-two.”

Page 18, line 2, strike out the words “one hundred” and insert the word “eighty.”

Same page, line 3, after the word “dollars” insert the words “No more than ten assistant commissioners shall be employed by the commissioners of agriculture for said department. The assistant residing in the city of Albany shall receive as salary the sum of \$3,000, and the assistant commissioner residing in the city of New York shall receive an annual salary of \$2,500 and such expenses as may be necessary when they are away from the city of Albany or New York, respectively, on business of said department. And all other assistant commissioners shall receive salaries not exceeding \$1,200 per annum and all necessary expenses incurred in the performance of their duties.”

Same page, between lines 3 and 4, insert the heading “Forest Commission.”

Same page, line 8, strike out the word “warden” twice occurring and insert in each case the word “superintendent.”

Page 21, line 18, change the word “to” to the word “two.”

Page 22, line 25, strike out the words “sixty-seven thousand eight hundred” and insert the words “fifty thousand.”

Page 23, strike out all of lines 14, 15, 16 and 17 and insert the words “For the civil service commissioners for salaries and expenses, \$7,800, and the commissioners shall each receive the sum of \$600 thereof annually, payable monthly in lieu of and in full for all expenses.”

Page 24, line 9, strike out the word “twenty” and insert the word “fifteen.”

Page 26, line 8, strike out the word “forty” and insert the word “thirty-five.”

Same page, lines 12 and 13, strike out the words “sixty-two thousand five hundred” and insert the words “sixty-five thousand.”

Same page, line 16, strike out the words “thirty thousand” and insert the words “thirty-one thousand two hundred.”

Same page, lines 19 and 20, strike out the words “eighteen thousand seven hundred and fifty” and insert the words “nineteen thousand five hundred.”

Same page, lines 23 and 24, strike out the words “twenty-eight thousand seven hundred and fifty” and insert the words “twenty-nine thousand nine hundred.”

Page 27, line 1, strike out the words “forty-two thousand five hundred” and insert the words “forty-four thousand two hundred.”

Same page, lines 5 and 6, strike out the words "twenty-three thousand seven hundred and fifty" and insert the words "twenty-four thousand seven hundred."

Same page, line 8, strike out the words "fifteen thousand" and insert the words "seventeen thousand."

Page 29, lines 24 and 25, strike out the words "and chapter 549 of the Laws of 1880."

Same page, strike out all of lines 11, 12, 13, 14, 15 and 16.

Page 28, line 16, strike out the words "ten thousand" and insert the words "twelve thousand five hundred."

Page 30, lines 23 and 24, strike out the words "chapter five hundred and thirty-six of the Laws of eighteen hundred and thirty-six" and insert the words "chapter two hundred and forty-eight of the Laws of eighteen hundred and ninety three."

Page 31, strike out all of lines 13, 14, 15, 16, 17, 18 and 19.

Page 32, line 20, after the word "Buffalo" strike out the word "nineteen" and insert the word "twenty."

Same page, line 9, strike out the words "one thousand" and insert the words "five hundred."

Page 34, line 1, strike out the word "payment" and insert the word "payable."

Page 32, line 23, after the word "Fredonia" strike out the word "nineteen" and insert the word "twenty-two;" also, in the same line, strike out the words "five hundred."

Same page, line 24, after the word "twenty" strike out the word "one" and insert the word "five."

Page 35, line 20, after the word "sections" insert the word "fourteen."

Page 36, line 5, after the word "by" insert the words "sections one hundred and forty-five of;" also, in same line, strike out the word "four" and insert the word "six;" also, in same line, strike out the word "sixty-eight" and insert the word "sixty-one."

Same page, line 6, strike out the word "eighty-nine" and insert the word "ninety-three," and strike out the word "twenty-one" and insert the word "twenty-six."

Page 38, after line 5, insert the following: "The Attorney General shall designate and select all counsel to be employed in the Department of Agriculture or by the Factory Inspector, Commission of Fisheries, or any of the other commissions provided for by law for the enforcement of laws connected with any of said departments or commissions and the proper administrations of said departments or commissions, in all cases hereafter arising and shall fix the compensation of said counsel; and the comptroller shall not order any bills for counsel, fees or charges, in connection with said departments or commissions except those of counsel designated and selected by the Attorney-General in accordance herewith."

Page 37, after line 25, insert the following: "The superintendent and other managing officers of each of the state charitable and

reformatory institutions other than the state prisons and state hospital for the insane, shall on or before the fifteenth day of each month commencing with the month of September, 1894, cause to be prepared and delivered to the comptroller a statement in detail, of the expenses estimated to be necessary for such institution for the next succeeding month, and of an amount in gross not exceeding two hundred and fifty dollars for a contingent fund to meet unexpected emergencies during such succeeding month. Such statement shall be made in such form as the comptroller shall direct. The comptroller may revise such statement as to quantity of supplies, estimate of cost thereof and as to such gross amount. The expenditures by each such institution during each succeeding month for any purpose shall not exceed the total amount of the estimate therefor, as so revised by the comptroller, unless in case of extraordinary emergency the comptroller may authorize an expenditure in excess of said amount.

The treasurer or other fiscal officer of each such institution shall on or before the fifth day of each month commencing with the month of November, 1894, make to the comptroller an itemized statement duly verified of all the receipts and expenditures of such institution for the next preceding month, in such form as the comptroller shall direct.

Mr. Ainsworth moved to non-concur in said amendments, that a committee of conference be appointed thereon, and a like committee be requested on the part of the Senate,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee on the part of the Assembly, Messrs. Ainsworth, Fish, Fuller, Sulzer and Hennessy.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

Mr. McNamee introduced a bill entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof" (Int. No. 1444), was read the first time and referred to the committee on affairs of villages.

Mr. Taylor introduced a bill entitled "An act to amend chapter 360 of the Laws of 1889, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public

interests in the city of Brooklyn” (Int. No. 1445), which was read the first time and referred to the committee on affairs of cities.

Mr. Porter introduced a bill entitled “An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claim of Patrick Gawkins and the claim of estate of Giles Hawley, deceased, against the State” (Int. No. 1446), which was read the first time and referred to the committee on claims.

Mr. Douglas introduced a bill entitled “An act to amend chapter 334 of the Laws of 1890, entitled ‘An act to incorporate the New York and New England Agricultural and Industrial Society’” (Int. No. 1447), which was read the first time and referred to the committee on the judiciary.

Mr. Baker introduced a bill entitled “An act to provide conditional compensation for teachers of common schools in any town of the State who have taught therein continuously twenty-five years or more” (Int. No. 1448), which was read the first time and referred to the committee on public education.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

“An act to release the interest of the people of the State of New York in certain real estate in the town of Johnstown, Fulton county, to Lydia Dickson.” (No. 562, Int. No. 528.)

“An act to establish and settle the pierhead and bulkhead line for the easterly shore of the East river at Ravenswood, Long Island City, Queens county, New York, from Robertson street to a point 400 feet northward of Graham avenue.” (No. 600, Int. No. 565.)

“An act in relation to the public lands, constituting chapter 11 of the general laws.” (Not printed, Int. No. 1398.)

“An act to provide for the removal of certain obstructions in Cayuga Lake, in the counties of Seneca and Cayuga.” (No. 473, Int. No. 446.)

“An act to amend chapter 164 of the Laws of 1894, entitled ‘An act to amend the Penal Code,’ relating to malicious injury and destruction of property on oyster beds.” (Not printed, Int. No. 1442.)

“An act in relation to interest on mortgages and other liens upon real estate held by a life tenant.” (No. 243, Int. No. 289.)

"An act to release to William T. Frost all the right, title and interest of the people of the State of New York in and to certain real estate in the village of Millerton, Dutchess county, N. Y." (No. 1179, Int. No. 1047.)

"An act to amend chapter 181 of the Laws of 1875, entitled 'An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof,' and the acts amendatory thereof, relating to boards of water commissioners." (No. 1012, Int. No. 928.)

"An act to amend section 4 of chapter 550, Laws of 1893, entitled 'An act to authorize the town of Tonawanda, Erie county, to incur an indebtedness for the purpose of grading, graveling, macadamizing or paving certain highways therein, extending from the village of Tonawanda to the city of Buffalo, and authorizing the town board to make such improvements.'" (No. 631, Int. No. 592.)

"An act creating a board of assessors in and for the city of Utica." (No. 1126, Int. No. 634.)

"An act in relation to First street in the city of Brooklyn." (No. 295, Int. No. 107.)

"An act to authorize the common council of the city of Newburgh to pave certain streets in said city and to provide for the payment of the expense thereof." (No. 1353, Int. No. 1218.)

"An act providing for the record of documents relating to real estate in the Twenty-third and Twenty-fourth wards of the city of New York." (No. 41, Int. No. 44.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Finnigan offered the following amendment to the Rules:

"A bill having been laid aside and a member desiring to call it up, he shall give one day's notice to the House of his intention to do so, whereupon it shall be placed upon the calendar."

Said amendment was referred to the committee on rules.

Mr. Horton, from the committee on privileges and elections, presented the following report:

To the Honorable the Assembly of the State of New York:

Your committee on privileges and elections present the following report in the matter of the contest for a seat in this Assembly from the first district of Kings county, between William Dwyer, contestant, and William J. Plant, contestee.

Your committee, after organization, appointed Messrs. J. F. Terry chairman, and Eugene F. Vacheron and Henry McNamee a sub-committee to make the investigation herein. They attended the several hearings in the city of Brooklyn, both parties appearing by counsel, and all evidence received was duly recorded, and has been printed and made to form part of this report; William Dwyer, contestant, appearing with counsel, George F. Elliott, Esq., and William J. Plant, the contestee, with counsel, Messrs. James B. Judge and Walter L. Durack.

The first district of Kings county includes the First, Second and Fourth wards of the city of Brooklyn, each ward being divided into a number of election districts, as appears in contestant's petition and the testimony.

In certain election districts hereinafter named the conduct of the election last November was marked by the most outrageous frauds upon the franchise possible; it appears by the testimony that voters were colonized, falsely registered, bribed and induced to perjure themselves before the election officers with the very life of our nation (the ballot) in their hands; it was shown that in certain districts the party workers, members of the political party to which the contestee owns his nomination and election, attempted and oftentimes succeeded in dictating to the election officers themselves, inducing them to disregard the plain requirements of the election law and permit the election to assume the character of and appear a farce wholly outside of the guidance or sanction of the election laws.

Your committee was astounded by evidence produced relating to the lodging house vote in this district; it was shown that just prior to election the various lodging houses filled up with persons who registered and afterwards voted for a consideration paid in many instances by the proprietor of the houses, an Italian, who was not produced by either party, though the contestant made diligent endeavor to find him.

Your committee view with alarm the long prevalent and increasing depravity of persons who constitute the lodging house vote in cities as shown by testimony herein. These poor wretches enticed by yearly profit, exist for a brief time in these lodging houses, leaving after election, never intending to remain, and acquiring no legal residence therein under the law, and yet voting for a price, wholly without law or right.

In the twelfth district of the first ward, more than one hundred persons voted as residents of Nos. 15 and 19 Atlantic avenue, lodging houses of the lower sort for men only, as the testimony shows; a

large number of these persons were "assisted" in preparing ballots, disability being wholly assumed as the election officers testify, and though more than forty persons in that district received "assistance," not one was produced who was actually "blind" or otherwise disabled; testimony showing bribery of voters from Nos. 15 and 19 Atlantic avenue was presented, several persons stating under oath that they were paid money to vote the Democratic ticket.

The conduct of the election in the third district of the second ward, as the evidence shows, was unlawful, being remarkable because of the disgraceful interference by outsiders with regularly appointed Republican election officers; there were a large number of votes cast in said district by non-residents and many persons were "assisted" who were in no sense entitled to receive "assistance;" and money was openly passed to voters immediately prior to and after the voters cast their ballots.

In the fourth district of the second ward the inspectors of election, the chairman of the board being a Democrat, refused to recognize challenges made by a watcher at the polls of voters who received "assistance," the chairman not having administered the disability oath; and also challenges of persons known to be non-residents by the challenger, were passed without notice, rendering the election, as a witness testified, a farce and entirely irregular in form and substance; votes of many non-residents were received, also those of persons who were "assisted" though not disabled, the workers for the Democratic candidates volunteering claims of disability in behalf of voters; and at least fifty persons received assistance who were not disabled in any way.

In certain districts the contestant has shown to your committee that persons were illegally registered, fraudulently voted and corruptly compensated for such votes, the number of persons who were paid for voting the Democratic ticket being at least sixty, that the persons illegally registered and voted numbered at least 130, and those who voted fraudulently by reason of receiving assistance number 225.

It is the sense of your committee that in the first Assembly district of Kings county, the last election was so corrupt as to endanger the peculiar institution of a free and secret ballot. The fact that a number of persons testified openly and shamelessly of their own criminality in receiving a bribe, together with the unlawful but general practice of workers and even the election officers at the recent election, convinces your committee that there exists in the mind of the public to-day no proper respect for the election laws or conception as to the absolute necessity for a proper observance of their requirements; it appears wise

to your committee to condemn in the strongest and most emphatic terms, the present practice on the part of any and all political parties of permitting or instructing the respective workers to "assist" persons not legally entitled to receive such assistance; the Legislature has enacted laws relating to elections and their conduct, the primary object of which was to prevent bribery of voters by enforcing a secret ballot, but there was manifested on the part of Democratic officers and workers in the Assembly district, an intention to nullify those provisions, amounting to an organized conspiracy against the laws of this State.

The majority for Mr. Plant, as certified to by the board of county canvassers, upon which this certificate of election was awarded, was 390.

The contestant has shown to our satisfaction that 338 votes counted for Mr. Plant were cast by persons not entitled to vote, thus reducing his majority to fifty-two; but we believe that if the true inwardness of the frauds practiced at the election in the interest of the sitting member could be shown, it would appear that Mr. Plant did not receive *any* majority of the *legal* votes cast at that election.

But in the absence of more positive proof, we can not reject the majority of fifty-two thus shown for Mr. Plant.

We therefore report the following resolution, and recommend its adoption to your honorable body:

Resolved, That William J. Plant was elected member of Assembly for the first Assembly district of Kings county, at the election held therein November 7, 1893, and is entitled to the seat in the Assembly of the State of New York now held by him therein.

Dated, *April 5, 1894.*

All of which is respectfully submitted.

GEORGE S. HORTON.

EUGENE F. VACHERON.

J. F. TERRY.

WESLEY GOULD.

PHILLIP KECK.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Hoysradt	O'Grady	Snyder
Babcock	Eldredge	Keck	Parkhurst	Southworth
Baker	Fairbrother	Keleher	Plant	Stadtfeld

Berry	Finnigan	Kelsey	Porter	Stevens
Braun	Fish	Kerr	Prescott	Stewart
Brownell	Foley	Kern	Reilly	Stone
Burtis	Friday	Kneeland	Rider, J.J.	Sulzer
Bush	Fuller	La Fetra	Robertson	Taylor
Butts	Gardiner	Lasch	Robinson	Terry, C.W.
Cain	Gerst	Lawson	Robson	Thompson
Callahan	Gleason	Lee	Roche	Thornton
Cassin	Glenn	Loonan	Ryder, E.L.	Tilton
Clark, J. H.	Gould	Marrin	Scanlon	Tobin
Conklin	Harrigan	Matthews	Schoepflin	Vehsiage
Corrigan	Hennessy	McKeon	Schulz, H	Wells
Cutler	Higbie	McNamee	Seibert	Whittet
Davidson	Hobbie	Melody	Sheffield	Wilcox
Dean	Hoefler	Messiter	Sherwood	Wray
Denniston	Hotaling	Myers	Smith, S.W.	Wyckoff
Dinkelspiel	Houghton	O'Donnell		

Mr. Horton, from the committee on privileges and elections, presented the following report :

IN THE MATTER OF THE CONTEST BY SETH WILKS OF THE SEAT OF ADOLPH SCHILLINGER OF THE FIFTEENTH ASSEMBLY DISTRICT OF THE CITY OF NEW YORK.

To the Honorable the Assembly of the State of New York :

The committee on privileges and elections, to whom was referred the matter of the contest above mentioned, respectfully report :

That at the county court house in the city of New York, upon notice to Adolph Schillinger, the contestee, and Seth Wilks, the contestant, testimony was taken and proceedings duly had herein. Mr. Schillinger appeared by John J. Delany and Hon. Edward Browne, of counsel and Mr. Wilks by Messrs. Groo and Thornton.

The grounds upon which Mr. Wilks contested the seat, as set forth in his protest to your Honorable Assembly, dated January 2, 1894, were gross violation of the election laws, intimidation of voters and gross frauds alleged to have been perpetrated in the Fifteenth Assembly district (N. Y.). During the inquiry these charges were narrowed down to specific allegations, and by the general consent of the committee and by acquiescence of counsel on both sides, the issue was confined to these two allegations, which are :

First. That on the day of election Adolph Schillinger, the sitting Member of Assembly, attempted to bribe one Hurtel, a blind man, to vote for him.

Second. That in violation of law, Adolph Schillinger was, on said election day, electioneering within 150 feet of the polls.

After carefully examining the testimony presented in support of and in opposition to these last mentioned charges, your committee is of opinion that the allegations have not been proven, and accordingly finds against the contestant and that Adolph Schillinger was duly elected Member of Assembly for the fifteenth New York district.

Therefore, your committee reports the following resolution, and recommends its adoption by your honorable body:

Resolved, That Adolph Schillinger was elected Member of Assembly for the Fifteenth Assembly District of the county of New York, at the election therein, held November 7, 1893, and is entitled to his seat in the Assembly of the State of New York, now held by him therein.

Dated, *April 5, 1894.*

All of which is respectfully submitted.

GEO. S. HORTON.

EUGENE F. VACHERON.

PHILIP KECK.

WESLEY GOULD.

J. F. TERRY.

HENRY McNAMEE.

JNO. C. HARRIGAN,

VICTOR J. DOWLING.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Messiter	Southworth
Babcock	Dinkelspiel	Hotaling	Myers	Stadtfeld
Baker	Douglas	Houghton	O'Grady	Stein
Berry	Eldredge	Keck	Parkhurst	Stevens
Brennan	Finnigan	Keenan	Plant	Stewart
Brownell	Fish	Keleher	Porter	Stone
Burtis	Foley	Kelsey	Prescott	Sulzer
Bush	Friday	Kerr	Rider, J.J.	Taylor
Butts	Fuller	Kern	Robbins	Terry, J.F.
Cain	Gardiner	Kneeland	Robinson	Thornton
Carroll	Gleason	Lasch	Robson	Tilton
Cassin	Glenn	Lawson	Roche	Trainor
Chapman	Gould	Lee	Ryder, E.L.	Tuttle
Clark, J. H.	Gray	Loonan	Scanlon	Vehslage
Conklin	Harrigan	Marrin	Schulz, F.F.	Wells
Corrigan	Hennessy	Matthews	Seibert	Wieman
Coughlin	Higbie	McKeon	Sheffield	Wilcox
Davidson	Hobbie	McNamee	Smith, M.F.	Wray
Dean	Hoefler	Melody	Snyder	Wyckoff

The Senate returned the Senate bill (No. 129) entitled "An act to amend chapter 231 of the Laws of 1873, entitled 'An act to amend the charter of the West Side German Dispensary in the city of New York,' as amended by chapter 427 of the Laws of 1892" (Rec. No. 124), with a message that they have reconsidered their vote on the final passage of said bill, and have amended the same as follows :

Strike out section 1, and insert the following :

"Section 1. Chapter 231 of the Laws of 1873, entitled 'An act to amend the charter of the West Side German Dispensary in the city of New York,' is hereby amended by inserting a new section 1 to read as follows :"

Before section 2 insert the following :

"§ 2. Section 1 of said chapter, as amended by chapter 427 of the Law of 1892, is hereby renumbered section 2, and amended to read as follows :"

Strike out the words "§ 3. Section 3 of said chapter is hereby amended so as to read as follows," and insert the following :

"§ 3. Section 3, 4, 5, 6, 7, 8, 9 and 10 of said chapter, as amended by chapter 427 of the Laws of 1892, are hereby further amended so as to read respectively as follows :"

Strike out the following :

"§ 4. Section 4 of said chapter is hereby amended so as to read as follows :"

Strike out the following :

"§ 5. Section 5 of said chapter shall be section 11, and new sections 5 to 10 inclusive are hereby added to said chapter, to read respectively as follows :"

Section 9, strike out the words "third title of the eighteenth chapter of the first part of the Revised Statutes," and insert the words "general corporation law."

Change section 11 to read as follows :

"§ 11. Section 2 of chapter 231 of the Laws of 1873 is hereby repealed."

Add a new section to read as follows :

"§ 12. This act shall take effect immediately."

Amend the title to read as follows :

"An act to amend chapter 231 of the Laws of 1873, entitled 'An act to amend the charter of the West Side German Dispensary in the city of New York,' as amended by chapter 427 of the Laws of 1892."

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kerr	Prescott	Stein
Babcock	Fish	Kern	Rider, J.J.	Stewart
Baker	Foley	Kerrigan	Robbins	Stone
Berry	Friday	Kneeland	Robertson	Sulzer
Brennan	Fuller	Lasch	Robinson	Terry, C.W.
Brownell	Gerst	Lawson	Robson	Terry, J.F.
Bush	Glenn	Loonan	Roche	Thornton
Butts	Gould	Marrin	Ryder, E.L.	Tilton
Cain	Hennessy	Matthews	Schillinger	Tobin
Carroll	Higbie	McDermott	Schoepflin	Trainor
Cassin	Hobbie	McKeon	Schulz, F.F.	Tuttle
Clark, J. H.	Hoefler	Melody	Seibert	Vacheron
Conklin	Hotaling	Messiter	Sheffield	Wells
Cutler	Houghton	Mittnacht	Sherwood	Whittet
Davidson	Howe	O'Grady	Smith, M.F.	Wieman
Denniston	Keck	Parkhurst	Southworth	Wray
Dinkelspiel	Keleher	Plant	Stadtfeld	Wyckoff
Dowling	Kelsey	Porter		

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Mittnacht	Stein
Babcock	Eldredge	Howe	O'Grady	Stevens
Baker	Fairbrother	Hoysradt	Parkhurst	Stewart
Braun	Finnigan	Keck	Plant	Stone
Brownell	Fish	Keenan	Porter	Sulzer
Burtis	Friday	Keleher	Prescott	Taylor
Butts	Fuller	Kerr	Rider, J.J.	Terry, J.F.
Cain	Gardiner	Kern	Robertson	Thompson
Callahan	Gerst	Kneeland	Robson	Thornton
Cassin	Gleason	Lasch	Roche	Tilton
Clark, J. H.	Glenn	Lawson	Scanlon	Tobin
Conklin	Gould	Lee	Schillinger	Trainor
Corrigan	Gray	Loonan	Schoepflin	Van Amber
Coughlin	Hennessy	Marrin	Seibert	Wells
Cutler	Herrman	Matthews	Sheffield	Whittet

Davidson	Higbie	McKeon	Smith, M.F.	Wilcox
Dean	Hobbie	McNamee	Smith, S.W.	Wray
Denniston	Hoefler	Melody	Snyder	Wyckoff
Douglas	Horton	Messiter	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate returned the bill (No. 45⁹) entitled "An act to consolidate and facilitate the collection of taxes and assessments in Richmond county" (Int. No. 69), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, section 4, at the end of the section insert the words "the calendar year for which such taxes were imposed and as hereinafter more fully stated."

Page 4, section 12, line 4, after the word "deputy" insert the words "if any."

Page 5, section 12, line 2, strike out the word "following."

Same page, line 3, after the word "January" insert the words "next succeeding the calendar year for which such taxes were imposed."

Same page, line 4, after the word "town" insert the words "where he is to have a deputy and also his own office;" also, after the word "will" insert the words "himself or."

Same page, line 10, after the word "the" insert the word "said."

Same page, line 21, strike out the words "on or."

Strike out the whole of present section 14, add the words therein contained as section 16 and insert the following sections 14 and 15:

"§ 14. The warrants from the supervisors to the county treasurer for the collection of the annual taxes and assessments shall be addressed and issued to 'The Treasurer of Richmond county as Receiver of Taxes,' and shall operate in favor of, and be binding upon the existing incumbent of that office or any successor therein. If, on the first Monday of any December, when such warrants are required to be issued there is a county treasurer elect who is entitled to enter upon such office on the first day of January next succeeding, and who is not the same person as the existing county treasurer, he is hereby authorized and required forthwith instead of the existing county treasurer to issue the notices required by section twelve hereof, naming the deputy receivers of taxes for the various towns and the times and places where and when he and they will sit after the first day of January to receive taxes and assessments as herein provided, and he may appoint such deputies and they and their bonds may be approved by the board of supervisors prior to such first day of

January, with the same force and effect as if he were then county treasurer. In such event, however, the existing county treasurer shall give the other notices required by such section twelve, stating that the said warrants have been received, and that he will himself from the time of such reception up to said first day of January, sit at his own office to receive such taxes and assessments, and allow a rebate as in said section provided. In case of a vacancy occurring at any time in said office the powers of the existing deputy collectors shall immediately cease and the incoming county treasurer shall appoint his own deputies, and the board of supervisors is in that event hereby authorized to extend for a period of not exceeding thirty days, the various periods of time during which taxes and assessments may be paid or received in pursuance of the various provisions hereof.

§ 15. The persons elected to the offices of town collector by all and the various towns during the year 1894 shall, subject to the provisions of this act as to the giving of bonds, be appointed by the receiver of taxes and his duties, for the collection of the taxes of said year, and shall receive from the county treasurer, acting as receiver of taxes, as compensation for their services, as such deputies, a sum computed on all taxes and assessments actually received by them, equal in amount to the fees and penalty now provided by law as compensation for town collectors, and the bonds given by such persons thus appointed deputies shall be held, and on proper occasion, enforced by the said receiver of taxes on behalf of the proper political divisions of the county, but his own bond shall not be held responsible for the faithful discharge by such a person of their duties and for their accounting and paying over all money received or collected by them as such deputies. Should any of such persons, however, fail to qualify therefore, as herein required, or should a vacancy for any reason occur in the office to which he has thus received appointment, all the general provisions of this act shall thereafter apply to such deputyship.

§ 16. All general or special laws inconsistent with or repugnant to the provisions of this act, are, to that extent, in so far as they affect Richmond county, repealed.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Kelsey	Porter	Stein
Babcock	Eldredge	Kerr	Prescott	Stevens
Baker	Fairbrother	Kern	Rider, J.J.	Stewart

Berry	Finnigan	Kerrigan	Robbins	Stone
Braun	Fish	Kneeland	Robertson	Sulzer
Brennan	Foley	La Fetra	Robinson	Terry, C.W.
Burtis	Fuller	Lawson	Robson	Terry, J.F.
Bush	Gardiner	Lounsbury	Ryder, E.L.	Thompson
Butts	Glenn	Loonan	Scanlon	Thornton
Cain	Gould	Marrin	Schillinger	Tilton
Callahan	Hennessy	Matthews	Schoepflin	Trainor
Cassin	Herrman	McKeon	Schulz, H	Tuttle
Clark, J. H.	Higbie	McNamee	Seibert	Van Amber
Conklin	Hobbie	Melody	Sheffield	Wells
Corrigan	Hoefler	Messiter	Sherwood	Whittet
Coughlin	Horton	Mittnacht	Smith, M.F.	Wieman
Davidson	Houghton	Myers	Smith, S.W.	Wray
Dean	Keenan	O'Grady	Snyder	Wyckoff
Denniston	Keleher	Parkhurst		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

By unanimous consent,

Mr. J. F. Terry introduced a bill entitled "An act to amend chapter 220 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof'" (Int. No. 1452), which was read the first time.

On motion of Mr. J. F. Terry, and by unanimous consent, said bill was read the second time, placed on the order of third reading and referred to the committee on affairs of villages, retaining its place on the order of third reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1324, entitled "An act making an appropriation for the payment of expenses of a convention to revise and amend the Constitution of the State," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Prescott, Int. No. 1359, entitled "An act authorizing the improvement and repairs of the Rocky Rift feeder and dam in the Mohawk river, and making appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to

which was referred the bill introduced by Mr. Eldredge, Int. No. 1355, entitled "An act to provide for making repairs and improvements to the Glens Falls feeder to the Champlain canal and making an appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Wray, Int. No. 1205, entitled "An act to provide for the completion of the armory for the Twenty-third Regiment in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Wells, Int. No. 807, entitled "An act making an appropriation for repairing the culvert under the Oswego canal at Mud creek, in the first ward of Syracuse, and for deepening the bed and walling the banks of the creek from the culvert to Onondaga lake," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. O'Grady, Int. No. 1372, entitled "An act reappropriating an unexpended balance for the State Industrial School at Rochester," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Parkhurst, Int. No. 1152, entitled "An act to provide for the protection of the Cayuga and Seneca canal by repairing the berme bank and breakwater at the foot of Seneca lake, in the counties of Seneca and Ontario, between the outlet and the canal bridge at Geneva, and making an appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Rice, Rec. No. 451, entitled "An act to amend chapter 409 of the Laws of 1886, entitled 'An act to regulate the employment of women and

children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same," reported in favor of the passage of the same, without amendment (Mr. Bush dissenting), which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Higbie, Int. No. 1311, entitled "An act authorizing the Clerk of the Assembly to cause to be printed and distributed copies of the game law," reported in favor of the passage of the same, with the following amendment:

Page 1, line 1, after the word "printed" insert the words "by the legislative printer, to be done under the terms of the contract for the legislative printing; the expense of the same shall be payable from appropriations for legislative printing."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Prescott, Int. No. 261, entitled "An act to extend the drill-hall and rifle-range, and make certain additions to the State armory in the village of Mohawk, county of Herkimer, and making an appropriation therefor," reported in favor of the passage of the same with the following amendment:

Page 2, line 5, strike out the word "immediately" and insert the words "April 1, 1895."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

The Senate returned the concurrent resolutions recalling from the Governor for the purpose of amendment, the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 187 of the Laws of 1862, entitled 'An act to incorporate the Board of Foreign Missions of the Presbyterian Church, in the United States of America' and to regulate the number of trustees." (No. 848, Int. No. 783.)

"An act to amend the highway law, relating to application for commissioners and their decision in certain cases." (No. 192, Int. No. 191.)

Ordered, That the Clerk deliver said resolutions to the Governor.

Mr. Sulzer moved that the committee on ways and means be discharged from the further consideration of the bill No. 1003, entitled "An act making provision for issuing bonds to the amount of \$12,000,000 for the improvement of the Erie canal, the Champlain canal and the Oswego canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year 1894" (Int. No. 918), and that the same be ordered to a second reading.

Pending the discussion,

A message from the Governor, by the hands of his private secretary, was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 6, 1894. }

To the Assembly:

Assembly bill No. 683, entitled "An act to legalize assessments for local improvements in the city of Amsterdam and to authorize reassessment therefor," is herewith returned without approval.

The substantial feature of this bill, so far as I am able to ascertain from a perusal of its provisions, is that it practically deprives property owners against whom assessments have been illegally levied from any legal redress. The bill provides for reassessment by the common council of void taxes and assessments that have heretofore been levied for street improvements in the city, no matter how flagrant may have been the violations of law by which they were imposed, how regardless of the wholesome restrictions of the city charter, or how grossly unjust they may be against the property owners affected thereby; and such assessments when made and confirmed by the common council shall, according to the provisions of the bill, "be final and conclusive on all parties and persons interested, both as to merits and amount of such assessment, and the right and power of the common council to cause it to be made." There would therefore be left to the property owners and taxpayers whose rights have been invaded in violation of law, no redress whatever, though the reassessment imposed against them was grossly excessive and unjust.

This in itself is sufficient to condemn the bill, but besides, the bill is crudely drawn and contains minor defects which furnish additional reasons for its disapproval.

ROSWELL P. FLOWER.

On motion of Mr. Gardiner, said bill and the accompanying message were laid upon the table.

The House then resumed the consideration of the motion made by Mr. Sulzer.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

} AYES 52 }
{ NOES 54 }

Those who voted in the affirmative, were

Berry	Davidson	Hoysradt	Melody	Schillinger
Brennan	Denniston	Kerr	Mittnacht	Schoepflin
Bush	Dinkelspiel	Kerrigan	Myers	Southworth
Butts	Douglas	La Fetra	O'Donnel	Stadtfeld
Cain	Finnigan	Lasch	O'Grady	Stein
Carroll	Foley	Loonan	Plant	Sulzer
Cassin	Gardiner	Marrin	Reilly	Tobin
Chapman	Gerst	McDermott	Robinson	Trainor
Clark, J. H.	Gleason	McKeon	Roche	Wells
Corrigan	Harrigan	McNamee	Ryder, E.L.	Whittet
Coughlin	Herrman			

Those who voted in the negative, were

Ainsworth	Glenn	Kern	Robertson	Terry, C.W.
Babcock	Gould	Kneeland	Robson	Terry, J.F.
Brownell	Hennessy	Lawson	Schulz, H	Thompson
Chambers	Higbie	Lee	Seibert	Thornton
Conklin	Hobbie	Matthews	Sheffield	Tilton
Cutler	Hoefler	Nixon	Smith, M.F.	Tuttle
Dean	Horton	Parkhurst	Smith, S.W.	Van Amber
Fairbrother	Hotaling	Porter	Snyder	Wilcox
Fish	Houghton	Prescott	Stewart	Wyckoff
Friday	Keck	Rider, J.J.	Stone	Speaker
Fuller	Kelsey	Robbins	Taylor	

The Senate sent for concurrence the following entitled bill :

“An act to amend chapter 113 of the Laws of 1859, entitled ‘An act in relation to common schools in the city of Elmira,’ as amended April 22, 1873, and further amended by the Laws of 1890” (No. 867, Rec. No. 302), which was read the first time.

Mr. Bush moved that the second and third readings of said bill be made a special order immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 89 }
 { NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	Melody	Smith, M.F.
Babcock	Douglas	Houghton	Mittnacht	Smith, S.W.
Berry	Fairbrother	Hoysradt	Nixon	Snyder
Brennan	Finnigan	Keck	O'Grady	Stadtfeld
Brownell	Fish	Kelsey	Parkhurst	Stein
Bush	Foley	Kerr	Plant	Stewart
Butts	Friday	Kern	Porter	Stone
Cain	Fuller	Kerrigan	Prescott	Taylor
Carroll	Gardiner	Kneeland	Rider, J.J.	Thompson
Cassin	Gleason	La Fetra	Robbins	Tilton
Chambers	Glenn	Lasch	Robertson	Tobin
Chapman	Gould	Lawson	Robinson	Trainor
Clark, J. H.	Gray	Lee	Robson	Tuttle
Conklin	Harrigan	Loonan	Roche	Van Amber
Corrigan	Herrman	Marrin	Schillinger	Vehslage
Cutler	Higbie	Matthews	Schoepflin	Wilcox
Davidson	Hobbie	McDermott	Schulz, H	Wyckoff
Dean	Horton	McNamee	Sheffield	

In the negative,

Ryder, E.L.

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Parkhurst	Stein
Babcock	Eldredge	Keleher	Porter	Stevens
Baker	Fairbrother	Kelsey	Prescott	Stewart
Berry	Fish	Kern	Reilly	Stone
Braun	Friday	Kern	Rider, J.J.	Taylor
Brownell	Fuller	Kneeland	Robbins	Terry, J.F.
Bush	Gardiner	La Fetra	Robertson	Thompson
Cahill	Gerst	Lasch	Robinson	Thornton
Cain	Gleason	Lawson	Robson	Tilton
Carroll	Glenn	Lee	Roche	Tobin
Cassin	Gould	Loonan	Scanlon	Trainor
Chambers	Gray	Marrin	Schillinger	Tuttle

Chapman	Herrman	Matthews	Schoepflin	Van Amber
Clark, J. H.	Higbie	McDermott	Seibert	Vehslage
Conklin	Hobbie	McKeon	Sheffield	Wells
Corrigan	Hoefer	McNamee	Sherwood	Whittet
Cutler	Horton	Messiter	Smith, M.F.	Wieman
Davidson	Hotaling	Mittnacht	Smith, S.W.	Wilcox
Dean	Houghton	Nixon	Snyder	Wyckoff
Dinkelspiel	Hoysradt	O'Grady	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1247) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court" (Int. No. 1109), was read the second time.

On motion of Mr. Hennessy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1449) entitled "An act relative to the Supreme Court of the second judicial department" (Int. No. 1271), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1393) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution of this State, in relation to county judges and court of session in the county of Kings" (Int. No. 1241), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 831) entitled "An act to confirm the proceedings taken in the issue of the village of New Rochelle highway improvement bonds numbered 'B 1' to 'B 50,' inclusive" (Int. No. 765), was read the second time.

On motion of Mr. Berry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 992) entitled "An act to amend section 3 of chapter 137 of the Laws of 1877, entitled 'An act to incorporate the library and reading-room of the village of Port Chester, in Westchester county'" (Int. No. 906), was read the second time.

On motion of Mr. Berry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill No. 1440) entitled "An act to amend chapter 195 of the Laws of 1848, entitled 'An act to provide for the taking of

acknowledgments of deeds and other written instruments by persons residing out of the State of New York,' and acts amendatory thereof and supplemental thereto" (Int. No. 1262), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1358) entitled "An act to provide for the serial publication, without expense to the State, of the decisions of certain courts as soon as handed down" (Int. No. 1229), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1377) entitled "An act to amend section 62 of chapter 568 of the Laws of 1890, as amended by chapter 212 of the Laws of 1891, and by chapter 686 of the Laws of 1892, constituting chapter 19 of the general laws, being what is known as the highway law" (Int. No. 1219), was read the second time.

On motion of Mr. Porter, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1310) entitled "An act to amend the statutory construction law in reference to the computation of days" (Int. No. 1153), was read the second time.

On motion of Mr. Keck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1367) entitled "An act to further extend and amend an act entitled 'An act to incorporate the Wandowenock fire hook and ladder company,' passed April 15, 1845" (Int. No. 1203), was read the second time.

On motion of Mr. Fairbrother, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1386) entitled "An act to amend the highway law, relating to laying out highways upon line between town and city or village" (Int. No. 1228), was read the second time.

On motion of Mr. Schoepflin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1069) entitled "An act to release to Edward Morgan and James McConnon all the right, title and interest of the people of the State of New York in and to certain real estate in the village of Herkimer, Herkimer county, N. Y." (Int. No. 959), was read the second time.

On motion of Mr. Prescott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 901) entitled "An act to amend an act entitled 'An act in relation to counties, constituting chapter 18 of the general laws'" (Int. No. 827), was read the second time.

On motion of Mr. Vacheron, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1254) entitled "An act to provide for the incorporation of medical societies in the several counties set apart in this State since the passage of the act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813" (Int. No. 1118), was read the second time.

On motion of Mr. Keck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1129) entitled "An act to amend an act entitled 'An act in relation to the raising of funds for the relief of the poor of the town of Plattsburgh, in the county of Clinton,' passed May 30, 1879" (Int. No. 1061), was read the second time.

On motion of Mr. Baker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 990) entitled "An act to amend chapter 389 of the Laws of 1872, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Hempstead, in the county of Queens'" (Int. No. 904), was read the second time.

On motion of Mr. Vacheron, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 887) entitled "An act to amend chapter 358 of the Laws of 1892, entitled 'An act to authorize the issue of bonds of the city of Rochester to pay for an additional water supply'" (Rec. No. 277), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The bill (No. 1376) entitled "An act to amend chapter 356 of the Laws of 1889, entitled 'An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the the city of Brooklyn'" (Int. No. 1217), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1323) entitled "An act ceding to the city of Buffalo, for park purposes, a strip of land on the south side of Scajauquady creek, in said city, now a portion of the lands of the Buffalo State Hospital" (Int. No. 1167), was read the second time.

On motion of Mr. Whittet, said bill was placed on the order third reading and referred to the committee on revision.

The bill (No. 1203) entitled "An act laying out an additional public park in the Twelfth ward of the city of New York, and authorizing the taking of land for the same" (Int. No. 991), was read the second time.

On motion of Mr. Robertson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1298) entitled "An act to provide for the payment of all excise moneys and fines for the breach of the laws in relation thereto in the city of Brooklyn into the revenue fund of said city, and to repeal all acts and parts of acts inconsistent therewith" (Int. No. 1138), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1374) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the fire department" (Int. No. 1215), was read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1233) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting interests in the city of Brooklyn,' and acts amendatory thereof and supplemental thereto, relating to the board of education in the city of Brooklyn" (Int. No. 1093), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 878) entitled "An act to amend chapter 193 of the Laws of 1888, entitled 'An act to authorize the selection, location and acquiring of certain grounds for public parks and parkways in and near the city of Rochester, and provide for

the maintenance and embellishment thereof, and the several acts amendatory thereto'" (Rec. No. 276), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The bill (No. 1223) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to the opening of streets and avenues in the twenty-third and twenty-fourth wards and the department of public works of the city of New York" (Int. No. 1082), which was read the second time.

On motion of Mr. Robertson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1441) entitled "An act to amend chapter 49 of the Laws of 1893, entitled 'An act to provide for the construction of a sewer in the city of Newburgh'" (Int. No. 1266), which was read the second time.

On motion of Mr. Thornton, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 833) entitled "An act to provide for the construction and improvement of Corlear's Hook park in the city of New York" (Rec. No. 280), which was read the second time.

On motion of Mr. Roche, said bill was placed on the order of third reading.

The bill (No. 1287) entitled "An act to amend chapter 600 of the Laws of 1893, entitled 'An act to reduce, confirm and levy certain assessments in the city of Albany, to provide for the payment thereof, and in relation to certain sales thereunder'" (Int. No. 1122), which was read the second time.

On motion of Mr. Brennan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1212) entitled "An act to amend sections 8, 11, 12 and 13 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710, 1936 of chapter 410 of the Laws of 1882,' entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city'" (Int. No. 1104), having been announced for a second reading.

On motion of Mr. Sulzer, said bill was amended as follows :

Amend section 1 by substituting the following:

Section 1. Section three of chapter two hundred and sixty-nine of the laws of eighteen hundred and ninety-two, entitled "An act to amend sections forty-five, seven hundred and four, seven hundred and five, seven hundred and seven, seven hundred and eight, seven hundred and ten and nineteen hundred and thirty-six, of chapter four hundred and ten of the laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city," is hereby amended so as to read as follows:

§ 3. Said act is hereby further amended by adding thereto a new section to be known as section seven hundred and four-a, to read as follows:

§ 704a. The members of the department of street cleaning shall be divided into two general classes, to be designated, respectively, the clerical force and the uniformed force. The clerical force shall consist of a chief clerk, medical examiners, not exceeding three in number, and such and so many clerks and messengers as the commissioner of street cleaning shall deem necessary; but the aggregate salaries of the said clerical force shall not exceed in any year the amount appropriated therefor by the board of estimate and apportionment. The members of the clerical force shall be appointed by the commissioner of street cleaning in the manner prescribed by and subject to the statutes, rules and regulations in force at the time of such appointment, regulating and providing for the appointment of persons to like positions in the departments of the city of New York. But any person not so appointed, but who is, at the time of the passage of this act, actually employed in the performance of clerical duties in the department of street cleaning, may be appointed a member of the clerical force upon non-competitive examination, in the manner provided for the examination of clerks for promotion. The uniformed force shall be appointed by the commissioner of street cleaning, and shall consist of one general superintendent, one assistant superintendent, one superintendent of stables, one superintendent of final disposition; one assistant superintendent of final disposition; district superintendents not exceeding eleven in number; time collectors not exceeding three in number; section foremen not exceeding fifty-eight in number; dump inspectors not exceeding twenty in number; assistant dump inspectors not exceeding twenty in number;

tug and scow inspectors not exceeding twenty in number; sweepers not exceeding fifteen hundred in number; dump boardmen not exceeding twenty in number; drivers not exceeding seven hundred and fifty in number; stable foremen not exceeding eleven in number; assistant stable foremen not exceeding eleven in number; hostlers not exceeding eighty-eight in number; a master mechanic and such and so many mechanics and helpers as may be necessary; but the aggregate salaries of such mechanics and helpers shall not exceed in any year the amount appropriated therefor by the board of estimate and apportionment. The commissioner of street cleaning shall have power, and is hereby authorized, to increase the said uniformed force, from time to time, by adding to the number of sweepers, drivers and hostlers; provided the board of estimate and apportionment shall have previously made an appropriation for the purpose of permitting such increase; but such increase shall not exceed in any one year, in any class of employes, a number equal to an annual increase of five per centum, to be added each year to the number which might have been legally employed for the preceding year, commencing with the number authorized by law for the year eighteen hundred and ninety-two. The annual salaries and compensations of the members of the uniformed force of the department of street cleaning shall be fixed by the board of estimate and apportionment and shall not exceed the following: Of the general superintendent, three thousand dollars; of the assistant superintendent, two thousand five hundred dollars; of the superintendent of stables, two thousand dollars; of the master mechanic, one thousand eight hundred dollars; of the superintendent of final disposition, two thousand dollars; of the assistant superintendent of final disposition, one thousand five hundred dollars; of the district superintendents, one thousand eight hundred dollars each; of the time collectors, one thousand two hundred dollars each; of the section foremen, one thousand dollars each; of the dump inspectors, one thousand dollars each; of the assistant dump inspectors, nine hundred dollars each; of the tug and scow inspectors, one thousand dollars each; of the dump boardmen, seven hundred and twenty dollars each; of the sweepers, seven hundred and twenty dollars each; of the drivers, seven hundred and twenty dollars each; of the stable foremen, one thousand two hundred dollars each; of the assistant stable foremen, nine hundred dollars each; of the hostlers, seven hundred and twenty dollars each, and extra pay for work on Sundays. The members of the department of street cleaning shall be employed at all such times and during such hours and upon such duties as the commissioner of street cleaning shall direct, for the purpose of an effective per-

formance of the work devolving upon said department. In case of a snowfall or other emergency, upon the written approval and consent of the mayor, the commissioner of street cleaning, or the deputy commissioner, may hire and employ temporarily such and so many men, carts and horses as shall be rendered necessary by such emergency, but no man, cart or horse shall be so hired or employed for a longer period than three days; except that any person registered as eligible to appointment as a driver, or as a sweeper, may be temporarily employed, at any time, as an extra driver or sweeper to fill the place of a driver or sweeper who is suspended or temporarily absent from duty from any cause. The rate of compensation of such extra drivers or sweepers shall be two dollars per day, and the driver or sweeper whose place is so filled shall not receive any compensation for the time during which he is so absent from duty or his place is so filled. All persons employed, and carts and horses hired pursuant to this section shall be paid for their services and use in full and directly by the department of street cleaning, at such times as may be prescribed by such department; and they, and each of them, shall be employed and hired directly by the department of street cleaning and not through contractors or other persons. Nothing herein contained shall affect any existing contract made with or by the department of street cleaning in regard to the cleaning of Broadway below Fourteenth street in said city, or for the renewal thereof, if deemed best, by the commissioner of said department.

Page 6, section 2, line 14, after the word "property" add the words "or for the sweeping of streets and the removal of street sweepings by machine, and also to contract for the cremation or burning of street sweepings, refuse and garbage."

Page 13, section 4, line 19, after the word "permit" strike out the word "and" and insert the word "any."

Page 14, line 2, after the words "five days" strike out all that part which is underscored down to and including the words "after such publication" in line 11.

Page 16, section 5, line 24, after the words "not exceeding" strike out the word "three" and insert the word "four."

Said bill, as amended, was read the second time, placed on the order of third reading, ordered reprinted and referred to the committee on revision.

The bill (No. 1356) entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine the claim of George W. Sauer, and to make appropriation for the same or any part thereof, which shall be justly due" (Int. No. 1235), having been announced for a second reading,

On motion of Mr. Reilly, Senate bill No. 747, Int. No. 250, same title and subject, was substituted for said bill.

Said Senate bill was read the second time and placed on the order of third reading.

The bill (No. 1452), entitled "An act to amend chapter 347 of the Laws of 1890, entitled 'An act to provide for the payment of the costs and expenses of the construction of a trunk sewer on the east side of Genesee river in the city of Rochester, by the issue of bonds of said city, and providing for the payment of said bonds by local assessments,' and the several acts amendatory thereof and supplementary thereto" (Int. No. 1275), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1221) entitled "An act to amend section 23 of chapter 39 of the Laws of 1853, as amended by chapter 679 of the Laws of 1871, entitled 'An act to supply the city of Watertown with pure and wholesome water and for other purposes'" (Int. No. 1080), was read the second time.

On motion of Mr. Fuller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1466) entitled "An act to provide for the erection of a suitable monument to the memory of the soldiers of the Ninth Regiment volunteer infantry of the State of New York who were engaged in the battle of Antietam, and making an appropriation therefor" (Int. No. 858), was read the second time.

On motion of Mr. Butts, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1467) entitled "An act providing for the erection of a State armory in the village of Tonawanda, Erie county, the acquisition of a site therefor, and making an appropriation for building said armory" (Int. No. 211), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1465) entitled "An act making appropriation for the promotion of agriculture in this State" (Int. No. 542), was read the second time.

On motion of Mr. Parkhurst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1464) entitled "An act making an additional

appropriation for the construction of a swing or hoist bridge over the Erie canal at Emerson street in the city of Rochester" (Int. No. 552), was read the second time.

On motion of Mr. Denniston, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 559) entitled "An act to confer on the common council of the city of Utica, and the town board of the town of Deerfield, in the county of Oneida, the authority to purchase the Deerfield macadamized road" (Int. No. 237), was read the second time.

On motion of Mr. Stone, said bill was placed on the order of third reading.

The Senate bill (No. 811) entitled "An act to amend chapter 303 of the Laws of 1893, entitled 'An act to authorize and direct the city of Buffalo to remove and reinter the human remains buried in the old Indian burying ground located in the fifth ward of said city'" (Rec. No. 232), was read the second time.

On motion of Mr. Whittet, said bill was placed on the order of third reading.

The Senate bill (No. 246) entitled "An act vesting in Queens county the title of the people of the State of New York to certain land lying within said Queens county" (Rec. No. 56), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading.

The Senate bill (No. 198) entitled "An act to release to the Church of the Holy Communion in the city of New York all the estate, right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Greenburgh, county of Westchester, and State of New York" (Rec. No. 148), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading.

The Senate bill (No. 545) entitled "An act to amend the stock corporation law" (Rec. No. 202), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading.

The Senate bill (No. 605) entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of

New York, with water, and remitting assessments therefor'' (Rec. No. 206), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading.

The Senate bill (No. 578) entitled "An act to lay out and establish a public park in the twelfth ward of the city of New to be known as Saint Nicholas park and for the improvements thereof" (Rec. No. 205), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading.

The Senate bill (No. 199) entitled "An act for the relief of Henry H. Brown" (Rec. No. 204), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading.

The Senate bill (No. 577) entitled "An act providing for the removal of incumbrances and obstructions upon the streets, sidewalks and public grounds in the Twenty-third and Twenty-fourth wards in the city of New York" (Rec. No. 186), having been announced for a second reading,

Mr. Ainsworth moved to amend said bill as follows:

Lines 5 and 6, strike out the words "commissioner of street improvements of said wards" and insert the words "commissioner of public works of the city of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 45 }
{ NOES 44 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Houghton	Robertson	Terry, J.F.
Baker	Fish	Keck	Schoepflin	Thompson
Brownell	Friday	Kelsey	Sheffield	Thornton
Chambers	Fuller	Kneeland	Smith, M.F.	Tilton
Clark, J. H.	Gardiner	Lawson	Smith, S.W.	Whittet
Conklin	Gray	Matthews	Stewart	Wilcox
Cutler	Higbie	Parkhurst	Stone	Wray
Dean	Hoefer	Porter	Taylor	Wyckoff
Eldredge	Horton	Prescott	Terry, C.W.	Speaker

Those who voted in the negative, were

Berry	Davidson	Keenan	McNamee	Schillinger
Brennan	Dinkelspiel	Kerr	Melody	Southworth
Bush	Finnigan	Kerrigan	Mitnacht	Stadtfeld

Butts	Foley	La Fetra	Myers	Stein
Cain	Gleason	Lasch	O'Donnell	Sulzer
Carroll	Harrigan	Loonan	Reilly	Tobin
Cassin	Hennessy	Marrin	Robbins	Trainor
Chapman	Herrman	McDermott	Robinson	Vehslage
Corrigan	Hoysradt	McKeon	Roche	

Said bill, as amended, was then read the second time, and placed on the order of third reading.

The Senate bill (No. 260) entitled "An act to regulate the compensation of laborers employed by the city of Brooklyn, under contract or otherwise, except skilled laborers" (Rec. No. 193), was read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading.

By unanimous consent,

Mr. Ainsworth introduced a bill entitled "An act appointing a committee to examine into the tenement house question in the city of New York, and to report to the next Legislature" (Int. No. 1453), was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keleher	Nixon	Snyder
Babcock	Fairbrother	Kelsey	O'Donnell	Southworth
Baker	Fish	Kerr	Parkhurst	Stadtfeld
Berry	Foley	Kern	Porter	Stein
Brownell	Friday	Kerrigan	Prescott	Stewart
Bush	Fuller	Kneeland	Rider, J.J.	Stone
Butts	Gerst	La Fetra	Robbins	Sulzer
Cain	Gleason	Lasch	Robertson	Taylor
Carroll	Gould	Lawson	Robinson	Terry, C.W.
Cassin	Gray	Lee	Roche	Terry, J.F.
Chambers	Harrigan	Loonan	Ryder, E.L.	Thornton

Chapman	Hennessy	Matthews	Schillinger	Tilton
Conklin	Higbie	McDermott	Schoepflin	Tobin
Corrigan	Hobbie	McKeon	Schulz, H	Trainor
Coughlin	Hoefler	McNamee	Seibert	Van Amber
Cutler	Horton	Melody	Smith, M.F.	Wells
Davidson	Hoysradt	Mittnacht	Smith, S.W.	Whittet
Dean	Keck	Myers		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication from the Governor, by the hands of his private secretary, was received and read in the words following

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 6, 1894. }

To the Assembly:

Assembly bill No. 702, entitled "An act to amend the Code of Civil Procedure, relating to fees of justices of the peace," is herewith returned without approval.

This bill practically doubles the fees of a justice of the peace for performing a particular service. He now gets twenty-five cents for receiving and entering the verdict of a jury, and twenty-five cents for entering judgment. By section 3140 of the Code of Civil Procedure, he must now enter a judgment in his docket book, and by this proposed amendment he would receive an additional fifty cents for no additional service. I do not think this is right, and am opposed to increases in justices' fees at the present time. Our courts already cost too much.

ROSWELL P. FLOWER.

On motion of Mr. Vacheron, said bill with the accompanying message was laid upon the table.

The bill (No. 1469) entitled "An act relating to State finances, constituting chapter 10 of the general laws" (Int. No. 225), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1392) entitled "An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts" (Int. No. 1210), was read the second time.

On motion of Mr. McNamee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 984) entitled "An act to fix and regulate the rate of fare to be charged by the Troy city railway company" (Int. No. 895), was read the second time.

On motion of Mr. J. F. Terry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 943), entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws'" (Int. No. 862), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 789) entitled "An act authorizing and empowering the superintendent of public works to construct a lift-bridge or hoist-bridge over the Erie canal in the village of Canajoharie" (Int. No. 740) was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 47) entitled "An act authorizing the superintendent of public works to remove the bridge now spanning Erie canal at Main street in the village of Fairport" (Int. No. 49), was read the second time.

On motion of Mr. Stone, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1337) entitled "An act to amend section 14 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Int. No. 1182), having been announced for a second reading,

Mr. Fish moved to amend said bill as follows:

Page 2, line 1, strike out the word "four" and insert the word "three."

Said bill, as amended, was read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (No. 97) entitled "An act making an appropriation to pay for the construction of a sewer under the Oswego canal, in the village of Fulton, N. Y." (Int. No. 112), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 935) entitled "An act to provide for the removal of the bridge over the Erie canal at Porter avenue, in the city of Buffalo, to Jersey street in said city, and for the construction of a new bridge at Porter avenue in said city" (Int. No. 854) was the second time.

On motion of Mr. Whittet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1427) entitled "An act to provide factory inspectors and deputy factory inspectors with badges" (Int. No. 1247), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 371) entitled "An act to improve a certain highway in the town of Greenwich, Washington county, and making an appropriation therefor" (Int. No. 362), was read the second time.

On motion of Mr. Hobbie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1234), entitled "An act to appropriate money for the support of the insane under the provisions of chapter 126 of the Laws of 1890, and 214 of the Laws of 1893" (Int. No. 1094), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1243), entitled "An act reappropriating an unexpended balance of certain moneys, appropriated by chapter 726 of the Laws of 1893, for a duplicate pump for water supply for the St. Lawrence State hospital, for other purposes" (Int. No. 1135), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 640) entitled "An act making an appropriation for the payment of the actual expenses of travel incurred in the performance of their duty by the State Game and Fish Protectors, while engaged in the discharge of their duties" (Int. No. 603), was read the second time.

On motion of Mr. Hoysradt, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 719) entitled "An act relative to defraying the expenses of operating the lift and swing bridges along the lines of the State canals" (Rec. No. 245), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The Senate bill (No. 219) entitled "An act making an appro-

priation for the construction of a drain in the village of Whitesboro, Oneida county" (Rec. No. 264), was read the second time.

On motion of Mr. Stone, said bill was placed on the order of third reading.

The Senate bill (No. 423) entitled "An act to provide for the completion of spiling, widening, raising and reconstructing the highway leading east and west across the head of Owagena lake in the town Cazenovia, Madison county, and making an appropriation therefor" (Rec. No. 105), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 146) entitled "An act making an appropriation for construction a hoist bridge over the Erie canal, on Geddes street, in the city of Syracuse" (Rec. No. 10), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 701) entitled "An act to authorize and direct the State Engineer and Surveyor to prepare plans, specifications and estimates for a complete overhauling or renewal of the West Main street lift bridge over the Erie canal in the city of Rochester, and making an appropriation therefor" (Rec. No. 246), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The Senate bill (No. 842) entitled "An act to amend chapter 690 of the Laws of 1892, known as the insurance law" (Rec. No. 234), having been announced for a second reading,

On request of Mr. Ainsworth, said bill was laid aside.

The Senate bill (No. 717) entitled "An act to authorize villages of the State of New York to furnish electric-light or gas-light to the inhabitants thereof" (Rec. No. 201), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading.

The Senate bill (No. 103) entitled "An act to authorize the Dunkirk and Fredonia Railroad Company to supply light, heat power, steam and electricity, to persons or corporations renting buildings or rooms of and from the said company located on its power-house premises in the village of Fredonia, and also to sup-

ply the inhabitants with the same and to receive pay therefor " (Rec. No. 52), was read the second time.

On motion of Mr. C. W. Terry, said bill was placed on the order of third reading.

The Senate bill (No. 100) entitled "An act to amend section 682 of the Code of Civil Procedure, relating to liens on real property " (Rec. No. 184), was read the second time.

On motion of Mr. C. W. Terry, said bill was placed on the order of third reading.

The Senate bill (No. 507) entitled "An act to amend section 108 of title 4 and section 1 of title 5 of chapter 228 of the Laws of 1891, entitled 'An act to amend chapter 152 of the Laws of 1881, entitled An act to amend chapter 188 of the Laws of 1877, entitled An act to amend chapter 385 of the Laws of 1867, entitled An act to incorporate the village of Warwick, as amended by chapter 481 of the Laws of 1872, and section 1 of chapter 303 of the Laws of 1873' " (Rec. No. 214), having been announced for a second reading,

On request of Mr. Cutler, said bill was laid aside.

The Senate bill (No. 50) entitled "An act to amend the Code of Criminal Procedure, by inserting therein three new sections, to be known as sections 696, 697 and 698, relating to conditional pardon " (Rec. No. 36), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

Mr. Hobbie called from the table the bill (No. 1331) entitled "An act to amend the railroad law, in relation to electric-light and power corporations becoming railroad corporations " (Int. No. 1176), previously laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Hobbie moved to amend the same as follows :

Page 2, line 8, after the word "length " insert the words "and within that distance from the power station and not to exceed four miles in length in any city.

Same page, line 17, after the word "acres " insert the words "along the line or contiguous to said railroad," and after the word "same " strike out the following sentence.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was read the second time, placed on the order of third reading and referred to the committee on revision.

Mr. Schoepflin called up the bill (No. 1336) entitled "An act authorizing agricultural societies and corporations to lease their grounds" (Int. No. 1181), previously laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Schoepflin moved that the same be amended as follows:

Page 1, line 5, after the word "in" insert the words "a county of;" also, after the word "state" in the same line, insert the words "having a population of more than three hundred thousand and less than six hundred thousand."

Same page, line 6, after the word "purpose" insert the words "except running races."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, placed on the order of third reading and referred to the committee on revision.

Mr. Prescott called from the table the bill (No. 1350) entitled "An act to incorporate the city of Little Falls" (Int. No. 295), previously laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Prescott moved to amend said bill as follows:

Page 2, line 5, after the word "the" insert the word "general."

Page 6, line 4, after the word "mayor" insert the word "supervisor."

Same page, line 7, strike out the words "one supervisor."

Same page, line 8, strike out the words "such ward officers and inspectors of election" and insert the words "all of such officers."

Page 22, line 18, strike out the words "one or more" and and insert the word "two."

Page 34, line 17, change the word "four" to "eight."

Page 40, line 6, strike out the word "immediately" and insert the words "within forty days."

Same page, line 20, after the word "have" insert the words "within the county of Herkimer."

Page 41, strike out line 2 and insert the words "overseer of the poor."

Same page, line 18, strike out the words "overseer of the poor" and insert the words "city treasurer."

Page 49, line 9, strike out the second word "assessment" and insert the word "valuation."

Page 55, line 7, change the word "raised" to the word "appropriated."

Same page, line 8, change the word "raised" to the word "appropriated."

Page 56, line 20, after the word "cemeteries" insert the words "including those."

Page 61, line 4, change the word "his" to "its."

Page 60, line 18, change the word "carirages" to "carriages."

Page 61, strike out all of section 130 and insert the words "Three members of said board shall constitute a quorum, and a majority present at any meeting shall concur in any action of the board."

Page 67, line 6, strike out all after the word "city" down to the period in line 7.

Page 73, line 23, after the word "supervisor" strike out all down to and including the word "wards" in line 24.

Page 74, line 2, strike out the words "each ward" and insert the words "said city."

Same page, lines 3 and 4, strike out the words "of each ward" and insert the words "said city."

Page 77, line 11, strike out the word "twelve" and insert the word "ten."

Page 78, line 2, strike out the word "ten" and insert the word "twelve."

Same page, line 4, strike out the word "eight" and insert the word "six."

Same page, line 5, strike out the word "sixty" and insert the word "forty-three."

Page 93, line 16, strike out the word "this" and insert the word "that."

Same page, line 18, strike out the word "such" and insert the word "all;" also, after the word "notices" insert the words "mentioned in the last section but one."

Page 108, line 5, strike out the word "supervisors" and insert the word "supervisor;" also, strike out the words "several wards" and insert the word "city."

Same page, line 10, strike out the words "four supervisors" and insert the words "a majority of the members of said board."

Page 110, line 4, strike out the word "duplicate" and insert the word "triplicate."

Same page, line 5, after the word "office" insert the words "one with the city treasurer."

Page 115, line 15, after the word "shall" insert the words "be in full for all services which they shall."

Page 120, line 14, change the word "millilies" to the word "missiles."

Page 121, line 5, strike out the words "and as in this title provided."

Page 124, lines 11 and 12, strike out the words "except police and fire commissioners."

Same page, line 12, after the word "cease," insert the words "except that village officers, authorized by this act to qualify as

city officers, are required to so qualify within five days after this act takes effect, whereupon such village offices shall cease."

Page 122, line 24, strike out the word "twenty" and insert the word "forty."

Page 123, lines 12, 13 and 14, "strike out the words "and no registration of electors shall be required at such first election to be held under this act."

Said bill, as amended, was read the second time, placed on the order of third reading and referred to the committee on revision.

By unanimous consent,

Mr. Harrigan introduced a bill entitled "An act authorizing the city of Yonkers to issue bonds for the extension and better equipment of the fire department" (Int. No. 1455), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. Harrigan and by unanimous consent, said bill was read the second time and placed on the order of third reading and recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

By unanimous consent,

Mr. Cassin introduced a bill entitled "An act in relation to the destruction by fire or heat of all animal and vegetable refuse and garbage in towns and villages having over 10,000 inhabitants" (Int. No. 1456), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Ainsworth introduced a bill entitled "An act to provide for the printing, binding and distribution of 10,000 copies of the memorial proceedings of the Legislature on the death of the Hon. Hamilton Fish, and making an appropriation therefor" (Int. No. 1454), which was read the first time.

Mr. Bush asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	99	}
}	NOES	00	}

Those voting in the affirmative, were

Ainsworth	Denniston	Houghton	Nixon	Smith, M.F.
Babcock	Dinkelspiel	Keck	O'Donnell	Smith, S.W.
Baker	Douglas	Keenan	O'Grady	Southworth
Berry	Eldredge	Keleher	Plant	Stadtfeld
Braun	Fairbrother	Kelsey	Porter	Stewart
Brownell	Fish	Kerr	Prescott	Stone
Burtis	Foley	Kern	Reilly	Sulzer
Bush	Friday	Kneeland	Rider, J.J.	Taylor
Butts	Fuller	Lasch	Robbins	Terry, C.W.
Cain	Gardiner	Lawson	Robertson	Thompson
Carroll	Gleason	Lee	Robinson	Tilton
Cassin	Glenn	Loonan	Robson	Tobin
Chambers	Gould	Marrin	Roche	Trainor
Clark, F.E.	Gray	Matthews	Ryder, E.L.	Van Amber
Clark, J. H.	Harrigan	McKeon	Scanlon	Wells
Conklin	Hennessy	McNamee	Schillinger	Whittet
Corrigan	Higbie	Melody	Schulz, F.F.	Wieman
Coughlin	Hobbie	Messiter	Seibert	Wilcox
Cutler	Hoefler	Mittnacht	Sheffield	Wyckoff
Dean	Horton	Myers	Sherwood	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Kelsey, Int. No. 717, entitled "An act for the erection at the State normal and training school at Geneseo, New York, of a new building to be used for the scientific department and other purposes, and also an additional, separate building for a furnace and boiler house for heating the several buildings of said school, and making an appropriation therefor," reported in favor of the passage of the same with the following amendment :

Page 1, line 1, strike out the word "sixty-five" and insert the word "twenty."

D. E. AINSWORTH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Coughlin, Int. No. 901, entitled "An act authorizing the superintendent of public works to surrender to the city of Buffalo, for park purposes, cer-

tain lands in said city belonging to the United States, and now in the possession of the State of New York, and to authorize said superintendent to purchase other lands to be used for the storage of property belonging to canal department" reported in favor of the passage of the same, with the following amendment:

Page 2, strike out lines 3, 4, 5, 6, 7, 8, 9 and 10, and change number of section 3 to section 2.

D. E. AINSWORTH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Whittet, Int. No. 921, entitled "An act to establish the Collins farm State Homeopathic Hospital for the Insane," reported in favor of the passage of the same with the following amendment:

Strike out the entire section 13 and change the number of sections 14 and 15 to 13 and 14 respectively.

D. E. AINSWORTH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Pound, Rec. No. 288, entitled "An act to provide for the construction of a hoist or lift-bridge over the Erie canal at Adam street, in the city of Lockport, and making an appropriation therefor," reported in favor of the passage of the same, with the following amendments:

Section 1, line 3, strike out the word "five" and insert the word "seven;" after the word "thousand" in the same line insert the words "five hundred."

Section 3, line 1, strike out the word "ten" and insert the word "seven." After the word "thousand" in same line insert the words "five hundred."

Section 4, line 2, strike out the word "five" and insert the word "seven." After word "thousand," same line, insert the words "five hundred."

Section 4, line 5, strike out the word "five" and insert the word "seven." Sameline, after the word "thousand" insert the words "five hundred."

D. E. AINSWORTH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Nixon, Int. No. 1373, entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk, and the acts amendatory thereof and supplementary thereto,'" reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, after the word "Dunkirk" insert the words "whenever any street within the district annexed hereby shall be paved or macadamized the street railroad in any such street shall be relaid in the center of street."

Page 12, line 7, after the word "Dunkirk" insert the words "and its members shall hereafter be elected only by the votes of electors residing within the town of Dunkirk outside of the city limits of the city of Dunkirk."

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of third reading.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	O'Grady	Stein
Babcock	Eldredge	Keenan	Parkhurst	Stevens
Baker	Fairbrother	Keleher	Porter	Stewart
Berry	Finnigan	Kelsey	Prescott	Stone
Braun	Fish	Kerr	Reilly	Sulzer
Brownell	Foley	Kern	Rider, J.J.	Taylor
Bush	Friday	Kneeland	Robbins	Terry, J.F.
Butts	Fuller	Lasch	Robertson	Thompson
Cain	Gardiner	Lawson	Robinson	Thornton
Cassin	Gerst	Lee	Robson	Tilton
Chambers	Gleason	Loonan	Roche	Trainor
Clark, J. H.	Glenn	Marrin	Scanlon	Tuttle
Conklin	Harrigan	Matthews	Schoepflin	Van Amber
Corrigan	Hennessy	McKeon	Schulz, H	Vehslage
Coughlin	Higbie	McNamee	Seibert	Wells
Cutler	Hobbie	Melody	Sherwood	Whittet

Davidson	Hoefler	Mittnacht	Smith, S.W.	Wilcox
Dean	Hotaling	Nixon	Snyder	Wray
Denniston	Houghton	O'Donnell	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. F. F. Schulz, Int. No. 1034, entitled "An act for the relief of Sophia G. Vandervoort, widow of Charles Vandervoort, deceased, her successor or assigns," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gray, Int. No. 1108, entitled "An act to amend chapter 543 of the Laws of 1888, entitled 'An act for the protection of dealers in monuments, gravestones, enclosures or other structures in cemeteries,' approved by the Governor, June 9, 1888, passed, three-fifths being present," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Saxton, Rec. No. 159, entitled "An act to amend an act entitled 'An act to incorporate the Burnham industrial farm,' passed May 12, 1886, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Douglas, Int. No. 1367, entitled "An act to amend section twelve of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property,' " reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Cantor, Rec. No. 197, entitled "An act to amend section 4 of chapter 565 of the Laws of 1875, entitled 'An act to incorporate the New York cheap transportation association,' " reported in favor of the passage of

the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Porter, Int. No. 1261, entitled "An act relative to persons holding the office of justice of the peace," reported in favor of the passage of the same, with the following amendments:

In line 3, strike out the words "any other town office" and insert the words "the office of overseer of the poor."

In line 4, strike out the words "except he may be a member of the town board."

PHILIP KECK,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Cutler, Int. No. 1375, entitled "An act relating to the office of highway commissioner," reported in favor of the passage of the same, without amendment, which report was agreed to, and bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Wells, Int. No. 1303, entitled "An act to amend chapter 51 of the Laws of 1870, entitled 'An act to amend the act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. La Fetra, Int. No. 1133, entitled "An act to amend the Penal Code," reported in favor of the passage of the same with the following amendment:

Page 1, line 6, strike out "or the society of Colonial wars," and insert instead the words "or of any society, order or organization of ten years' standing in the State of New York."

W. C. PRESCOTT,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was

referred the bill introduced by Mr. Gould, Int. No. 1346, entitled "An act to amend section 635 of the Code of Civil Procedure, relating to the granting of attachments in certain actions," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Sulzer, Int. No. 1227, entitled "An act to amend section 1690 of the Code of Civil Procedure, relating to recovery of chattels," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. F. F. Schulz, Int. No. 1369, entitled "An act to amend section 323 of the Code of Criminal Procedure, relative to lotteries," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by the committee on codes, entitled "An act to amend section 1925 of the Code of Civil Procedure, in relation to maintaining actions to prevent waste of public funds," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxton, Rec. No. 274, entitled "An act to amend the Penal Code as amended by chapter 693 of the Laws of 1892, relative to elections," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1019, entitled "An act to amend section 405-a of the Penal Code, relating to the sale and use of opium, morphine, chloral, cocaine and medicines and preparations containing such drugs, by pharmacists, apothecaries, druggists, physicians, surgeons, dentists or other persons," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Wells, Int. No. 946, entitled "An act to confer jurisdiction upon the board of claims to hear, audit and determine the claims against the State of New York of James Brennan and other employes of the State, upon public works, for unpaid balances due for services rendered, under chapter 380, Laws of 1859, from June 6, 1889, to April 29, 1890," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Wray, Int. No. 1341, entitled "An act conferring jurisdiction upon the Board of Claims to ascertain the amount of the claim of Augustus MacKensie against the State, and to make an award therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Corrigan, Int. No. 1265, entitled "An act to provide for a hearing of the claims of William Lockman and Carey Devery, for work and services performed for the State under the direction of the quarantine officials," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Kern, Int. No. 949, entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claims of Milton B. Jarvis against the State of New York, and to make an award therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the Senate bill introduced by Mr. Persons, Rec. No. 177, entitled "An act for the release of any interest of the State in certain lands in the city of Buffalo to Henry Koons," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Gerst, from the committee on canals, to which was referred

the Senate bill introduced by Mr. Coggeshall, Rec. No. 146, entitled "An act to provide for the disposition of lands of lock No. 60 on the abandoned Chenango canal," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. O'Grady, from the committee on public education, to which was referred the Senate bill introduced by Mr. Kilburn, Rec. No. 225, entitled "An act to authorize the board of education of Union Free School District No. 1 of the town of Caldwell, Warren county, to issue bonds for the purpose of purchasing lands for a school site and to erect a new school-house thereon; and to authorize the said board of education to sell the old school site and buildings and to legalize the proceedings of a meeting of said district held September 26, 1893," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Kern, Int. No. 1342, entitled "An act to authorize the village of Hamilton and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burying ground in said village," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Rice, Rec. No. 270, entitled "An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Taylor, from the committee on public health, to which was referred the bill introduced by Mr. Stadtfeld, Int. No. 999, entitled "An act to provide for the better protection of the public health, in relation to the manufacture and sale of cigarettes," reported in favor of the passage of the same, without amendment, which report was agreed to, said bill placed on the order of second reading and recommitted to the committee on public health for a further hearing.

Mr. Taylor, from the committee on public health, to which was

referred the bill introduced by Mr. Chapman, Int. No. 1189, entitled "An act to amend chapter 361 of the Laws of 1884, entitled 'An act to establish a State Board of Pharmacy and to regulate the practice of pharmacy throughout the State of New York except in the counties of New York, Kings and Erie,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Taylor, from the committee on public health, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 312, entitled "An act to establish a State board of undertakers and to regulate the practice of undertaking," reported in favor of the passage of the same, with the following amendments:

Page 4, line 17, strike out the word "they" and insert the words "said regents."

Page 7, line 9, strike out the word "may" and insert the word "shall."

Same page, section 8, add the following: "including the expenses incurred by the regents in conducting said examinations."

Same page, line 17, after the word "to" insert the following: "towns not having an incorporated village of at least 2,500 people, nor to any county which does not contain a village or city containing at least 30,000 people or."

JAMES TAYLOR,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Matthews, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Gleason, Int. No. 1286, entitled "An act to amend section 52 of chapter 410 of the Laws of 1882," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Matthews, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 223, entitled "An act to amend section 4 of title 1 of chapter 13 of part 1 of the Revised Statutes, relating to exemptions from taxation," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Matthews, from the committee on taxation and retrench-

ment. to which was referred the bill introduced by Mr. Kerr, Int. No. 388, entitled "An act to secure a more equitable and complete assessment of all taxable property of the State," reported the same for the consideration of the house, with the following amendments:

Strike out all of sections 1 and 2.

Page 2, line 24, strike out the words "tax commissioners" and insert the words "state assessors."

Page 3, line 5, strike out the word "five" and insert the word "three."

Same page, line 7, strike out the words "the five" and insert the word "such."

Same page, line 12, after the word "value" strike out the words "and it shall."

Same page, strike out all of lines 13, 14, 15 and 16.

Same page, line 17, strike out the words "a hearing by the state board."

Page 7, line 6, strike out the words "tax commissioners" and insert the words "state assessors."

Page 8, strike out all of section 11, and insert the following:

"§ 11. All acts or parts of acts inconsistent with this act are hereby repealed."

A. S. MATTHEWS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Stone moved that the committee on canals have until Monday evening in which to make reports.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bush moved that the committee on claims be discharged from the further consideration of the bill (No. 1583) entitled "An act for the relief of the Stickley and Simonds Company" (Int. No. 1345), together with the memorial connected therewith, and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Prescott moved that the committee on the judiciary be discharged from the further consideration of Senate bill No. 788, entitled "An act to amend title 5 of chapter 18 of the Code of Civil Procedure in relation to, and to provide for, disposition of decedent's real property for the payment of debts, funeral expenses and certain liens thereon" (Rec. No. 240), and that the same be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Horton, from the committee on privileges and elections, presented a report on the matter of the petition of Amos J. Ablett, claiming the seat now occupied by Curtis N. Douglas, representing the fourth district of Albany county; which was laid upon the table and ordered.

(See Document.)

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1160) entitled "An act amending the highway law, so called, as enacted by chapter 568 of the Laws of 1890, and the acts amendatory thereof" (Int. No. 1026), reported the same with the recommendation that it be amended as follows:

Strike out all after the enacting clause and insert the following:

"Section 1. Section 130 of the highway law is hereby amended so as to read as follows:

"§ 130. When town or county expense.—The towns of this State (except the towns in the county of Oneida), except as otherwise herein provided, shall be liable to pay the expenses for the construction and repair of its public free bridges, constructed over streams or other waters within their bounds, and their just and equitable share of such expenses when so constructed over streams or other waters upon their boundaries, except between the counties of Westchester and New York; and when such bridges are constructed over streams or other waters forming the boundary line of towns, either in the same or adjoining counties, such towns shall be jointly liable to pay such expenses, except that when the whole expense in any one town, for any one year, for the construction, care, maintenance, preservation and repair of its bridges, shall exceed one-sixth of one per centum on the assessed valuation of the taxable property of the town for that year, the county in which such town is located shall then pay not less than one-third part of such excess. Each of the counties of this State shall also be liable to pay for the construction, care, maintenance, preservation and repair of public bridges, lawfully constructed over streams or other waters forming its boundary line, not less than one-sixth part of the expenses of such construction, care, maintenance, preservation and repair.

"§ 2. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to amend the highway law, relating to the towns in in the county of Oneida."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The privileges of the floor were extended to Messrs. M. H. Phelps and J. F. Quigley, former members of this House.

On motion of Mr. Butts, the House adjourned.

MONDAY, APRIL 9, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Andrew V. V. Raymond.

On motion of Mr. Fairbrother, the journal of Friday, April 6, was approved without being read.

Mr. Butts rose to a question of privilege and stated as follows:

Mr. Speaker, I rise to a question of privilege. A bill introduced in this House on the thirty-first day of January, providing for a system of rapid transit in the city of New York, passed this House by a unanimous vote. Yesterday, in the New York World, there was a statement made to the effect that that bill had been passed through this House under false pretenses. The reason that statement was made was because on Thursday last, there was a hearing before the Senate committee on railroads and the Assembly committee on cities upon what is known as the "Chamber of Commerce Rapid Transit bill." Certain gentlemen who appeared in advocacy of the Chamber of Commerce bill, alleged that they had discovered in my bill certain provisions of law which handed over the city of New York to the elevated railroad company, and from that time until now certain papers of New York have been filled in their references to abuse and villify me for my connection with what is known as the "Labor Organization bill." They have claimed that there was a deal between Tammany Hall and Thos. C. Platt and the Manhattan Railroad Company, and that the prime and moving cause was the labor organizations of the city of New York, who had loaned themselves as tools to these organizations for the purpose of thwarting rapid transit in the city of New York.

Mr. Speaker, in the first place, as far as I am personally concerned, I denounce as absolutely false any such statement. There never has been any deal. It takes two or more parties to make

a deal. I have never been a party to any deal between any of these parties. I say Tammany Hall is not a party to that deal, and that the Manhattan Railroad Company is not a party to that deal, and in particular I denounce all statements to that effect as having no foundation in fact.

The particular clause of the bill I introduced, which is the target at which these malevolent shafts are levelled, is the fact that the bill provides that south of One Hundred and Twenty-sixth street that no plan for an elevated road shall be adopted by the rapid transit commissioners to be appointed under the provisions of that bill. The bill which I introduced is based on large and broad grounds. It provides for an underground system of railways in the city of New York and it does undertake to limit the elevated roads in the city of New York, as they are at present operated by the Manhattan Railroad Company. That appears clearly in the bill. And all the other provisions of the bill which have been attacked, as far as the Manhattan railway is concerned, are practically given to that corporation by the rapid transit law, passed in 1891.

I want to know with what justice a member of this House can be attacked for limiting the system of elevated railroads to that now operated by the Manhattan Company, when John H. Starin has been praised in the New York press in the stand he has taken in refusing to accede to the plan of the commissioners, which provides for further extension of the Manhattan system. I have no connection whatever, and have never had any connection with the Manhattan Railroad Company. I have been here two years fighting that corporation. But I always fought it from the front and never from ambush. In committees and on the floor of this House I have fought that company in the interest of my constituents in order that we might have a five cent fare and continuous ride from the Battery to the northern city line.

Again, I say, Mr. Speaker, there is no truth whatever, so far as these parties' names are concerned about being in any deal, directly or indirectly. I want to know why that bill, introduced on the twenty-first of January, and it has been before the committee ever since, and discussed before the committee twice, why is it, that practically following the lines laid down in that bill relating to the building of a rapid transit railway, that the Chamber of Commerce, at the last moment of this session, comes

here with a bill framed on similar lines, in order to further their own scheme, they undertake by every system that they can command to thwart the will of the people in the passage of the bill I have named. I want this question of rapid transit decided for the city of New York on large and statesmanlike grounds. I will not stoop to villify any person or organization. I simply desire to call the attention of this House, and, as far as I may, the people of the city of New York, that as far the Chamber of Commerce bill is concerned, I pledge to be open and above board.

There is a provision in that bill which allows the corporation to mortgage the road which is built at the expense of the city, mortgage the franchise, to mortgage the equipments they put on the road, and if they do not fulfill their contract then the city is still obliged to maintain and operate that road. The Chamber of Commerce bill exempts the corporation operating said road from paying any taxes, State or municipal, upon its franchise right under the contract with the rapid transit commissioners, and its entire equipment of the entire road. Do the people of the city of New York understand this question? And if they do will they uphold such an audacious attempt of the Chamber of Commerce to exempt this gigantic corporation from its just share of the public burden?

Now, Mr. Speaker, I say that I have been villified and abused. I say it is absolutely without cause. I denounce the statement that there ever has been or ever could be a bill in which I could be opposed to the interest of the city of New York, and although they have made me the storm center around which these conflicting interests have been battling for the past few days, I bid defiance to them all. The thunder and unfair and unjust criticism of the press shall not move me nor its lightning strike me, because I am assured by conscious rectitude. The fiercest storm is followed by a calm and sunshine. Until then I can wait for justice.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 5, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 701,

entitled "An act to amend the Code of Civil Procedure, relating to summary proceedings to recover the possession of real property." (Int. No. 183.)

ROSWELL P. FLOWER.

Mr. Ainsworth moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Douglas	Houghton	Nixon	Stadtfeld
Berry	Dowling	Howe	O'Grady	Stein
Braun	Fairbrother	Keck	Parkhurst	Stewart
Brownell	Finnigan	Keenan	Porter	Stone
Burtis	Fish	Keleher	Prescott	Sulzer
Bush	Foley	Kelsey	Rider, J.J.	Terry, C.W.
Butts	Friday	Kerr	Robbins	Terry, J.F.
Cahill	Fuller	Kern	Robertson	Thompson
Callahan	Gardiner	Kerrigan	Robson	Thornton
Carroll	Gleason	Kneeland	Roche	Tilton
Chapman	Glenn	Lasch	Ryder, E.L.	Trainor
Clark, J. H.	Gould	Lawson	Schillinger	Tuttle
Conklin	Harrigan	Marrin	Schoepflin	Vacheron
Corrigan	Herrman	Matthews	Schulz, H	Vehslage
Coughlin	Higbie	McDermott	Seibert	Wells
Cutler	Hobbie	McNamee	Sheffield	Wieman
Davidson	Hoefler	Melody	Smith, M.F.	Wilcox
Dean	Horton	Mittnacht	Smith, S.W.	Wray
Denniston	Hotaling	Myers	Southworth	Wyckoff
Dinkelspiel				

Mr. Thornton moved to amend said bill as follows :

Strike out all after the enacting clause and insert the following :

Section 1. Subdivision 1 of section 2231 of the Code of Civil Procedure is hereby amended to read as follows :

1. Where he holds over and continues in possession of the demised premises, or any portion thereof, after the expiration of his term, without the permission of the landlord; including, elsewhere than in the cities of New York and Brooklyn, a case where the person to be removed became the occupant of the premises as a servant or employe and the relation of master and servant or employer or employe has been lawfully terminated or the time fixed for such occupancy by the agreement between the parties,

has expired; but if by such agreement the servant was to be permitted to occupy such premises for a period beyond the term of employment such removal shall not be had under this subdivision unless such period so permitted for occupancy has expired, or the relation of master and servant or employer and employe was lawfully terminated before the expiration of such term of employment; but nothing in this subdivision contained shall be construed as preventing the removal of such occupant in any other lawful manner.

§ 2. This act shall take effect September 1, 1894.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 {
{ NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Myers	Stein
Babcock	Dinkelspiel	Keenan	O'Grady	Stevens
Baker	Douglas	Keleher	Parkhurst	Stewart
Berry	Dowling	Kelsey	Porter	Stone
Braun	Eldredge	Kerr	Reilly	Sulzer
Brennan	Fairbrother	Kern	Rider, J.J.	Taylor
Brownell	Finnigan	Kerrigan	Robbins	Terry, C.W.
Burtis	Foley	Kneeland	Robinson	Terry, J.F.
Bush	Friday	Lasch	Robson	Thompson
Butts	Fuller	Lawson	Scanlon	Thornton
Cahill	Gardiner	Lee	Schillinger	Tilton
Callahan	Gleason	Loonan	Schoepflin	Trainor
Carroll	Glenn	Marrin	Schulz, H	Tuttle
Chambers	Gould	Matthews	Seibert	Vacheron
Chapman	Harrigan	McDermott	Sheffield	Van Amber
Clark, J. H.	Higbie	McKeon	Sherwood	Wells
Conklin	Hobbie	McNamee	Smith, M.F.	Whittet
Corrigan	Hoefler	Melody	Smith, S.W.	Wilcox
Cutler	Houghton	Messiter	Snyder	Wray
Davidson	Howe	Mitnacht	Southworth	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 6, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 192, Int. No. 191, entitled "An act to amend the highway law, relating to applications for commissioners and their decisions in certain cases."

ROSWELL P. FLOWER.

Mr. Higbie moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 97 }
} NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefler	Mittnacht	Stadtfeld
Babcock	Denniston	Hotaling	Nixon	Stevens
Baker	Dinkelspiel	Houghton	O'Donnell	Stewart
Braun	Douglas	Howe	Parkhurst	Stone
Brennan	Dowling	Keck	Plant	Sulzer
Brownell	Eldredge	Keenan	Porter	Taylor
Burtis	Fairbrother	Keleher	Reilly	Terry, J.F.
Bush	Fish	Kelsey	Rider, J.J.	Thompson
Butts	Foley	Kerrigan	Robertson	Thornton
Cahill	Friday	Kneeland	Robson	Tobin
Callahan	Fuller	Lasch	Ryder, E.L.	Trainor
Carroll	Gardiner	Lawson	Scanlon	Tuttle
Cassin	Gerst	Loonan	Schoepflin	Vacheron
Chapman	Glenn	Marrin	Schulz, F.F.	Van Amber
Clark, J. H.	Gould	Matthews	Seibert	Wells
Donklyn	Gray	McKeon	Sheffield	Whittet
Corrigan	Harrigan	McNamee	Smith, M.F.	Wilcox
Coughlin	Herrman	Melody	Smith, S.W.	Wray
Cutler	Higbie	Messiter	Southworth	Wyckoff
Davidson	Hobbie			

On motion of Mr. Higbie, and by unanimous consent, said bill was amended as follows:

Section 1, after the words "by the written undertaking of the applicant" strike out the words "in the sum of one hundred dollars."

Section 2, after the words "confirmation of such decision" in the third line from the end of section and insert the words "and of the amount of such costs and expenses."

Same section, strike out the word "shall be charged by such court against the applicants, to be collected the same as other judgments in such court" at the end of section and insert the words "and expenses not exceeding fifty dollars shall be payable by the applicants."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Myers	Snyder
Babcock	Denniston	Howe	O'Grady	Southworth
Baker	Dinkelspiel	Hoysradt	Parkhurst	Stein
Berry	Douglas	Keenan	Plant	Stevens
Braun	Dowling	Keleher	Porter	Stewart
Brennan	Eldredge	Kelsey	Prescott	Stone
Brownell	Fairbrother	Kern	Rider, J.J.	Taylor
Burtis	Fish	Kerrigan	Robbins	Terry, C.W.
Bush	Foley	Kneeland	Robertson	Thornton
Butts	Friday	La Petra	Robinson	Tilton
Cahill	Fuller	Lawson	Robson	Tobin
Cain	Gardiner	Lee	Roche	Trainor
Carroll	Gerst	Loonan	Scanlon	Tuttle
Cassin	Glenn	Marrin	Schillinger	Van Amber
Chapman	Gould	Matthews	Schoepflin	Wells
Clark, J. H.	Harrigan	McKeon	Schulz, H	Whittet
Conklin	Herrman	McNamee	Seibert	Wieman
Corrigan	Higbie	Melody	Sheffield	Wilcox
Coughlin	Hobbie	Messiter	Smith, M.F.	Wray
Cutler	Hoesler	Mitnacht	Smith, S.W.	Wyckoff
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the bill (No. 488) entitled "An act to provide for making repairs and improvements to the Glens Falls feeder to the Champlain canal, and making appropriation therefor" (Int. No. 308), which was read the first time.

Mr. Eldredge asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Horton	Myers	Stadtfeld
Babcock	Dean	Hotaling	O'Grady	Stein
Baker	Denniston	Howe	Parkhurst	Stewart
Berry	Dinkelspiel	Keck	Plant	Stone
Braun	Dowling	Keenan	Porter	Sulzer
Brennan	Eldredge	Keleher	Prescott	Taylor
Brownell	Fairbrother	Kelsey	Rider, J.J.	Terry, C.W.
Burtis	Fish	Kerr	Robbins	Terry, J.F.
Bush	Foley	Kern	Robinson	Thompson
Butts	Friday	Kneeland	Robson	Thornton
Cain	Fuller	La Fetra	Ryder, E.L.	Tilton
Callahan	Gardiner	Lasch	Scanlon	Tobin
Carroll	Gerst	Lawson	Schillinger	Tuttle
Cassin	Glenn	Lee	Schoepflin	Van Amber
Chambers	Gould	Loonan	Schulz, H	Vehslage
Clark, F.E.	Gray	Marrin	Seibert	Wells
Clark, J. H.	Harrigan	Matthews	Sheffield	Whittet
Conklin	Herrman	McKeon	Sherwood	Wilcox
Corrigan	Higbie	McNamee	Smith, S.W.	Wray
Coughlin	Hobbie	Melody	Snyder	Wyckoff
Cutler	Hoefler	Messiter	Southworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following:

Resolved, That until further notice the sessions of the Assembly shall be as follows: On Tuesdays, Wednesdays and Thursdays, from 10 A. M. to 1.30 P. M., and from 4 P. M. to 6.30 P. M., the afternoon session to be devoted exclusively to reading of bills on the calendar in their order only; on Fridays, that the sessions begin at 10 A. M., and on Mondays at 8.30 P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 6, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 848, entitled "An act to amend chapter 187 of the Laws of 1862, entitled 'An act to incorporate the Board of Foreign Missions of the Presbyterian Church in the United States of America, and to regulate the number of trustees. (Int. No. 783.)

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Myers	Southworth
Babcock	Denniston	Keck	O'Grady	Stadtfeld
Baker	Dinkelspiel	Keenan	Parkhurst	Stein
Berry	Douglas	Keleher	Plant	Stewart
Braun	Dowling	Kelsey	Porter	Stone
Brennan	Eldredge	Kerr	Reilly	Sulzer
Brownell	Finnigan	Kern	Rider, J.J.	Taylor
Burtis	Fish	Kerrigan	Robbins	Terry, J.F.
Bush	Foley	Kneeland	Robertson	Thompson
Butts	Friday	La Fetra	Robson	Thornton
Cahill	Fuller	Lawson	Ryder, E.L.	Tobin
Callahan	Gardiner	Loonan	Scanlon	Trainor
Carroll	Gleason	Marrin	Schoepflin	Tuttle
Cassin	Glenn	Matthews	Schulz, F.F.	Vacheron
Chambers	Gould	McDermott	Schulz, H	Vehslage
Clark, F.E.	Gray	McKeon	Seibert	Wells
Clark, J. H.	Higbie	McNamee	Sheffield	Wieman
Conklin	Hobbie	Melody	Sherwood	Wilcox
Corrigan	Hoeffer	Messiter	Smith, S.W.	Wray
Coughlin	Horton	Mitnacht	Snyder	Wyckoff
Davidson	Hotaling			

On motion of Mr. Burtis said bill was amended by substituting the following therefor:

AN ACT to amend chapter 187 of the Laws of 1862, entitled An act to incorporate the board of foreign missions of the Presbyterian church in the United States of America.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 3 of chapter 187 of the Laws of 1862, entitled "An act to incorporate the board of foreign missions of the Presbyterian church of the United States of America," is hereby amended to read as follows:

§ 3. The management and disposition of the affairs and property of the said board of foreign missions of the Presbyterian church in the United States of America shall be vested in twenty-one trustees, who shall be appointed from time to time by the general assembly of the Presbyterian church in the United States of America for such terms as the Assembly may determine. But the number of such trustees may be increased or decreased at any time by the said general assembly, and in case of an increase the additional trustees shall be appointed by such general assembly of the Presbyterian church in the United States of America, provided, however, that the members of the board, as at present constituted, shall continue to hold office until their successors have been appointed by the general assembly. Not less than eleven members of the board shall constitute a quorum for the purpose of electing officers, making by-laws or for holding any special meeting; but for all other purposes and at stated meetings five shall be a quorum.

§ 2. This act shall take effect immediately.

Mr. Speaker, put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Prescott	Stewart
Babcock	Dowling	Keleher	Rider, J.J.	Stone
Baker	Eldredge	Kelsey	Robbins	Sulzer
Berry	Fairbrother	Kern	Robertson	Terry, C.W.
Braun	Fish	Kneeland	Robson	Terry, J.F.
Brennan	Friday	Laseh	Ryder, E.L.	Thompson
Brownell	Fuller	Lawson	Scanlon	Thornton
Burtis	Gardiner	Lee	Schoepflin	Tilton
Bush	Gerst	Marrin	Schulz, F.F.	Trainor
Butts	Glenn	Matthews	Schulz, H	Tuttle
Cain	Gould	McDermott	Seibert	Vacheron

Chambers	Herrman	McKeon	Sheffield	Van Amber
Clark, F.E.	Higbie	Melody	Sherwood	Wells
Clark, J. H.	Hobbie	Messiter	Smith, M.F.	Whittet
Conklin	Hoefler	Mittnacht	Smith, S.W.	Wieman
Coughlin	Horton	O'Grady	Snyder	Wilcox
Cutler	Hotaling	Parkhurst	Stadtfeld	Wray
Dean	Houghton	Plant	Stein	Wyckoff
Denniston	Howe	Porter	Stevens	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. O'Grady, offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of A-sembly bill No. 595, entitled "An act to amend section 116 of title 2, chapter 10, part four of the Revised Statutes, relating to State prisons" (Int. No. 559), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker announced the calendar of the day.

The bill (No. 1541) entitled "An act to enable the towns and cities of this State to use the Myers automatic ballot machine at all elections therein" (Int. No. 25), having been announced for a third reading,

Mr. Butts moved to strike out the enacting clause.

Pending the consideration of said motion,

A message from the Governor, by the hands of his private secretary, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 9, 1894. }

To the Assembly:

Assembly bill No. 838, entitled "An act to amend the public health law," is herewith returned without approval.

The law now provides, and has for several years provided, that no person shall practice veterinary medicine and surgery as a profession unless he has been duly registered pursuant to law, or unless he is a graduate of a legally chartered or incorporated college or university, or unless he holds a certificate of qualification from a legally incorporated veterinary society. These requirements have been established as safeguards against mal-

practice by incompetent persons claiming to be veterinarians. The amendment proposed by this bill, however, would practically legalize all violations of these requirements during the three years preceding January first, next, and would admit to legalized standing as practitioners all persons who during these three years have practiced veterinary medicine and surgery, no matter how unfitted for this practice the persons might be.

As to the general policy of the State's exercising such powers of restriction as are contained in the present law relating to the practice of veterinary medicine and surgery, it is not necessary to express an opinion in considering this bill. The only question presented is whether the policy heretofore adopted by the State and incorporated in law should be set aside temporarily in the interest of a few individuals, as would be the effect of this proposed amendment. If the present law is bad or unwise, it should be repealed directly, but not nullified indirectly. If it is essential to the protection of the public from imposition, it is as essential now as it will be after January first, next. The amendment partakes too much of the character of special legislation for the benefit of a few persons.

ROSWELL P. FLOWER.

On motion of Mr. Tilton, said communication and the accompanying bill was laid upon the table.

The House then resumed the consideration of the motion of Mr. Butts.

Debate was had thereon, when

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Butts then withdrew his motion.

Said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 68 }
{ NOES 36 }

Those who voted in the affirmative, were

Ainsworth	Gardiner	Lawson	Schoepflin	Thompson
Baker	Gerst	Lee	Schulz, F.F.	Thornton
Braun	Glenn	Lounsbury	Schulz, H	Tilton
Burtis	Gould	Matthews	Seibert	Trainor
Carroll	Gray	McDermott	Sheffield	Tuttle
Chambers	Higbie	Messiter	Snyder	Vacheron

Conklin	Hobbie	O'Grady	Stevens	Van Amber
Cutler	Hoefer	Parkhurst	Stewart	Wells
Dean	Hotaling	Porter	Stone	Whittet
Eldredge	Houghton	Prescott	Sulzer	Wieman
Fairbrother	Howe	Rider, J.J.	Taylor	Wilcox
Fish	Hoysradt	Robertson	Terry, C.W.	Wray
Friday	Keck	Ryder, E.L.	Terry, J.F.	Wyckoff
Fuller	Kneeland	Scanlon		

Those who voted in the negative, were

Brennan	Davidson	Hennessy	Loonan	Plant
Butts	Dinkelspiel	Herrman	Marrin	Robbins
Cahill	Douglas	Keenan	McNamee	Robinson
Cain	Dowling	Keleher	Melody	Schillinger
Callahan	Foley	Kelsey	Mittnacht	Southworth
Cassin	Gleason	Kerrigan	Myers	Stadtfeld
Chapman	Harrigan	Lasch	O'Donnell	Stein
Corrigan				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 208) entitled "An act to legalize the grant of land under water heretofore made by the Commissioners of the Land Office of the State of New York to the village of Tonawanda" (Int. No. 207), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Porter	Stevens
Babcock	Dinkelspiel	Keck	Prescott	Stewart
Baker	Douglas	Keenan	Rider, J.J.	Stone
Berry	Dowling	Keleher	Robertson	Taylor
Braun	Eldredge	Kelsey	Robinson	Terry, C.W.
Brennan	Fairbrother	Kerr	Robson	Terry, J.F.
Burtis	Fish	Kern	Roche	Thompson
Bush	Foley	Kerrigan	Scanlon	Thornton
Butts	Friday	Kneeland	Schillinger	Tilton
Cain	Fuller	Lasch	Schoepflin	Trainor
Callahan	Gardiner	Lawson	Schulz, F.F.	Tuttle
Carroll	Gerst	Lee	Schulz, H.	Vacheron
Cassin	Glenn	Marrin	Seibert	Vehslage

Chapman	Gould	Matthews	Sheffield	Wells
Conklin	Harrigan	McKeon	Sherwood	Whittet
Corrigan	Herrman	McNamee	Smith, M.F.	Wieman
Coughlin	Higbie	Messiter	Smith, S.W.	Wilcox
Cutler	Hobbie	Myers	Southworth	Wray
Davidson	Hoefer	O'Grady	Stadtfeld	Wyckoff
Dean	Houghton	Parkhurst	Stein	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Dowling presented the minority report of the committee on privileges and elections, in the case of Ablett v. Graham; which was laid upon the table and ordered printed.

(See Document.)

Mr. Keck introduced a bill entitled "An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville'" (Int. No. 1458), which was read the first time and referred to the committee on affairs of cities.

Mr. Horton, from the committee on privileges and elections, presented the following report :

To the Assembly of the State of New York :

The committee on privileges and elections, to which was referred the petition of Julius O'Brien, of the first district of Erie county, State of New York, claiming that he was the duly elected member of Assembly from that district at the last general election held on the 7th day of November, 1893, and that he is entitled to the seat in this body now held by Cornelius Coughlin, respectfully report :

That the committee appointed to hear the parties and take the testimony, held their sittings in the city of Buffalo, county of Erie, at different times, according to the convenience of parties and witnesses ; that both contestant and contestee appeared before the committee, and were also represented by counsel, and were present at the several sittings of the committee; that the parties to the proceedings were duly heard, and the witnesses were sworn and examined, the evidence of which is submitted herewith.

And we do further report that grave violations of the election law occurred in the fourth district of the first ward, and the fifth district of the nineteenth ward of the city of Buffalo, such as would warrant your committee in rejecting the entire vote of each of such districts; that other violations of the election law occurred in the third district of the first ward, and the third district of the nineteenth ward, which would

also warrant your committee in rejecting the entire vote of each of such districts.

In the third district of the third ward the evidence discloses a most lamentable state of affairs. Witnesses absolutely reliable and of representative character testified without contradiction to the following effect: Three deputy sheriffs were stationed in front of the ballot table with Democratic paster ballots in their possession and would solicit voters to take their paster ballots and vote them. John Sheehan, the Democratic candidate for Alderman of the ward, was inside of the polling place and in the immediate vicinity of the ballot clerks distributing paster ballots to the voters as they came in. The deputy sheriffs, or one of them at least, would time with a watch the voters who were in the compartments and in many instances ejected them therefrom when five minutes only had elapsed, while in other cases voters were allowed to remain in the compartments sometimes as long as fifteen minutes, thus showing evident discrimination, while those who were ejected at the end of five minutes were refused a new set of ballots and so far as the evidence discloses those still in their possession were not destroyed. Men were permitted inside of the compartments to fold ballots for voters who were not required to take the disability oath. In some instances the men who were folding the ballots, or supposed to be, would remain in there while more than one voter was adjusting his tickets. Electioneering was going on in and about the polling place all day long. One of the ballot clerks in handing the ballots to many of the persons applying therefor would turn to the Democratic ticket, which was the last bunch on the table, and tell them "this is the Democratic ticket. Vote this all right." In several instances, at least, he folded the original ballots in explaining how to fold ballots and then he would straighten them again, but of course the creases were there and that ticket would be in the bunch which the voter would be permitted to use, and this despite the fact that this polling place was supplied with sample ballots which should have been used for such purposes. The police who were in attendance were appealed to by the Republican watcher (Mr. Eddy) to stop such unlawful procedure, but no attention was paid to him throughout the entire day. The men who were most actively engaged in folding ballots for voters who did not take the disability oath were the three deputy sheriffs above referred to, and John Sheehan the Democratic candidate for Alderman. There was no attention paid to the requirement of law that all ballots of the voter shall be accounted for when he casts his ballot. Very many ballots were therefore left in the compartments. These were gathered up by the ubiquitous Sheehan, who

seemed to have been permitted to go in and out of the polling place and compartments throughout the entire day, to solicit votes for the entire Democratic ticket inside of the polling place and indeed to violate the law without hindrance. Across the street from the polling place was located a saloon, not more than seventy-five feet distant. All day long that was used as a rendezvous for Democratic workers and voters. A man would be taken in there by a worker and when they came out the worker led the man up to the polling place and directed him where to get his ballots and what to do with them. The police refused to permit a Republican watcher, Mr. Mahoney, to enter the polling place for a good portion of the day, even threatening to strike him on the head with their clubs. Every safeguard which the law places around elections intending thereby to secure an honest expression of the will of the people were violated in this district.

In the fourth district of the first ward, so open, flagrant and disgraceful were the violations of the election laws, in which even the uniformed police officers participated, that the counsel for the contestee on the trial and in his argument, admitted that the vote for this district should be rejected, and your committee think he was right.

The evidence of Mr. Willis M. Spaulding regarding the third district of the nineteenth ward, is equally interesting. Mr. Spaulding, who is a reputable lawyer engaged in the practice of his profession and a resident of the city of Buffalo, was a watcher in this district, and in fact was the only watcher inside of the polling place for either the prohibition or Republican parties. His colleague, Mr. Bidwell, was refused admittance inside of the polling place. Voters whose ballots were folded incorrectly were refused another set in some instances. Electioneering in and around the polling place was permitted throughout the entire day. The chairman of the board of inspectors would refold the ballots of voters presented to him improperly folded. The majority of the men who were assisted in folding their ballots inside of the compartments were not required to take the disability oath. The Democratic watchers and one member of the board of inspectors went into the compartments with the voters, and although Mr. Spaulding objected to it, no attention was paid to his objection. This evidence is not contradicted. It is indeed true, a witness who claimed to be a Republican member of the board of inspectors and was appointed as such, was sworn upon the hearing. His evidence, however, shows that electioneering was carried on within the polling place, although he claims upon his objection it would cease. It also shows that when he would look around at the compartments he would see two or three men in a compartment and would rush and try to pull them out. To our

minds such a condition of affairs where voters would be permitted to crowd into the polling place in sufficient numbers to get two or three men into a compartment at various times throughout the day shows a most reprehensible lack of care on the part of the police and of the board of inspectors and inclines us to the belief that the evidence of Mr. Spaulding is absolutely true.

The evidence with regard to the fifth district of the nineteenth ward is also uncontradicted. Throughout the entire day electioneering went on in and around the polling place; the ballots of voters handed to the inspector for deposit were examined by him and the vote the inspector desired would be deposited in the box and the presumption is fair that the ballots intended to be voted would find their way into the waste-box, and altogether the conduct of the election in this district was so barefaced and unlawful, that counsel for the contestee did not make an attempt to uphold it and practically conceded that the vote should be rejected.

In our judgment the law with reference to the 150 foot limit is a good and wise law. It was made to be observed and for a good purpose. Robert Ross, of Troy, whose murder thrilled the country, is a victim to the violation of this statute and when the evidence discloses as it does that members of the Democratic party openly violated the law in this regard, as well as many others, your committee feel justified in reaching the conclusion that the vote in all these districts heretofore mentioned should be thrown out and the inspectors' returns rejected.

In conclusion your committee desires to state, that the action of the police and of the sheriff and his deputies at the last election in this Assembly district points conclusively to the existence of a conspiracy on the part of the authorities in Erie county to thwart the will of the people. We have the right to recall and take judicial notice of the fact that on the night of the last day of the session of 1893 a law was passed which placed the management of the police force of the city of Buffalo in the hands of the Democratic managers. The evidence discloses why such management was desired. The conduct of the police was outrageous. In many instances individual voters were assaulted and seriously injured by the deputy sheriffs while inside of the polling places in the fourth district of the first ward. One James Kennedy, a well-known Democratic worker, stood directing the conduct of the inspectors of election, although not a member of the board, ordering the ejection of watchers, electioneering within the polling place, showing voters into compartments where men had previously been placed to fix the ballots, and when a warrant for his arrest was placed in the hands of the sheriff of Erie county it was not executed, although Ken-

nedy remained in the polling place throughout the entire day and until the ballots were counted.

The total majority for Cornelius Coughlin was proven to be 1,695, and if the entire vote of these districts heretofore mentioned be rejected on account of the worthlessness of the returns, the contestee, Mr. Coughlin, would still have a plurality over the contestant. Your committee, therefore, find, and do report, that upon all the proceedings taken, the contestee and sitting member, Cornelius Coughlin, is entitled to the seat now held by him as Member of Assembly for the first district of Erie county, and do recommend the adoption of the following resolution:

Resolved, That Cornelius Coughlin is entitled to hold the seat now occupied by him in the Assembly of the State of New York as the representative from the first district of Erie county.

All of which is respectfully submitted.

GEO. S. HORTON.

EUGENE F. VACHERON.

J. F. TERRY.

C. WESLEY GOULD.

JAMES R. SHEFFIELD.

PHILIP KECK.

Dated, *April 9, 1894.*

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Porter	Stein
Babcock	Dowling	Keenan	Prescott	Stevens
Baker	Eldredge	Keleher	Reilly	Stewart
Berry	Fairbrother	Kelsey	Rider, J.J.	Stone
Braun	Fish	Kerr	Robbins	Sulzer
Brennan	Foley	Kern	Robertson	Taylor
Brownell	Friday	Kneeland	Robinson	Terry, C.W.
Bush	Fuller	La Fetra	Robson	Terry, J.F.
Butts	Gardiner	Lasch	Roche	Thompson
Cahill	Gerst	Lawson	Scanlon	Thornton
Cain	Gleason	Lee	Schillinger	Tilton
Callahan	Glenn	Lounsbury	Schoepflin	Tobin
Cassin	Gould	Loonan	Schulz, F.F.	Tuttle
Chambers	Gray	Marrin	Schulz, H	Vacheron
Chapman	Hennessy	Matthews	Seibert	Van Amber
Conklin	Herrman	McKeon	Sheffield	Wells

Corrigan	Higbie	McNamee	Sherwood	Whittet
Coughlin	Hobbie	Melody	Smith, M.F.	Wieman
Cutler	Hoefer	Messiter	Smith, S.W.	Wilcox
Davidson	Horton	Myers	Snyder	Wray
Dean	Hotaling	O'Donnell	Southworth	Wyckoff
Denniston	Houghton	O'Grady	Stadtfeld	Speaker
Dinkelspiel	Howe	Parkhurst		

By unanimous consent,

Mr. Kneeland introduced a bill entitled "An act to incorporate the Equitable Securities Company" (Int. No. 1459), which was read the first time and referred to the committee on general laws.

The bill (No. 457) entitled "An act with reference to the removal and appointment of heads of departments in the city of New York" (Int. No. 434), having been announced for a third reading,

Mr. Sulzer moved that said bill be recommitted to the committee on affairs of cities for a further hearing, retaining its place on the order of third reading.

Mr. Thornton in the chair.

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Sulzer, and it was determined in the affirmative.

{ AYES 55 }
{ NOES 51 }

Those who voted in the affirmative, were

Berry	Corrigan	Herrman	Melody	Schulz, F.F.
Brennan	Davidson	Houghton	Mittnacht	Schulz, H
Bush	Dinkelspiel	Hoysradt	Myers	Southworth
Butts	Douglas	Keenan	O'Donnell	Stadtfeld
Cahill	Dowling	Keleher	Plant	Stein
Cain	Finnigan	Kerrigan	Robbins	Stone
Callahan	Foley	Lasch	Robertson	Sulzer
Carroll	Friday	Loonan	Robinson	Tobin
Cassin	Gleason	Marrin	Roche	Trainor
Chapman	Harrigan	McDermott	Scanlon	Vehslage
Clark, F.E.	Hennessy	McNamee	Schillinger	Wieman

Those who voted in the negative, were

Ainsworth	Fish	Keck	Prescott	Thompson
Babcock	Fuller	Kelsey	Rider, J.J.	Thornton

Baker	Gardiner	Kneeland	Robson	Tilton
Brownell	Glenn	Lawson	Schoepflin	Tuttle
Burtis	Gould	Lee	Sheffield	Vacheron
Chambers	Gray	Lounsbury	Sherwood	Van Amber
Conklin	Higbie	Matthews	Smith, M.F.	Wells
Cutler	Hobbie	O'Grady	Snyder	Wilcox
Dean	Hoefer	Parkhurst	Stewart	Wray
Eldredge	Howe	Porter	Ferry, J.F.	Speaker
Fairbrother				

The bill (No. 645) entitled "An act to amend chapter 323 of the Laws of 1887, entitled "An act in relation to the labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise" (Int. No. 608), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dean	Hobbie	Myers	Smith, M.F.
Baker	Dinkelspiel	Hoefer	O'Donnell	Snyder
Berry	Dowling	Horton	O'Grady	Stein
Brennan	Eldredge	Hotaling	Parkhurst	Stewart
Burtis	Fairbrother	Houghton	Plant	Stone
Bush	Finnigan	Howe	Porter	Sulzer
Butts	Fish	Keck	Prescott	Thompson
Cain	Foley	Keenan	Rider, J.J.	Thornton
Callahan	Friday	Keleher	Robbins	Tilton
Carroll	Fuller	Kelsey	Robson	Tobin
Cassin	Gardiner	Kneeland	Roche	Trainor
Chambers	Gleason	Lasch	Scanlon	Tuttle
Chapman	Glenn	Lawson	Schoepflin	Van Amber
Clark, F.E.	Gould	Lee	Schulz, F.F.	Vehslage
Clark, J. H.	Gray	Lounsbury	Schulz, H	Wells
Conklin	Harrigan	Matthews	Seibert	Wilcox
Corrigan	Herrman	McDermott	Sheffield	Wray
Cutler	Higbie	Melody	Sherwood	Wyckoff
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 576) entitled "An act making an appropriation for the support of government" (Int. No. 582), with a message that they have agreed to the request of the Assembly for a conference committee thereon, and that they have appointed as such committee on the part of the Senate, Messrs. Mullin, Kilburn and Cantor.

The bill (No. 1157) entitled "An act to incorporate the St. Lawrence Electric Townsite Company, to define its rights, powers and privileges, and for other purposes" (Int. No. 1023), having been announced for a third reading,

On motion of Mr. Ainsworth, said bill was amended as follows :

Page 2, line 25 (printed bill), strike out the words "and university."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{	AYES	92	{
}	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Mittnacht	Smith, M.F.
Babcock	Dowling	Howe	Myers	Snyder
Baker	Eldredge	Keenan	O'Donnell	Stein
Berry	Fairbrother	Keleher	O'Grady	Stewart
Brennan	Finnigan	Kelsey	Parkhurst	Stone
Brownell	Fish	Kerrigan	Plant	Sulzer
Burtis	Foley	Kneeland	Porter	Terry, J.F.
Bush	Friday	Lasch	Prescott	Thompson
Butts	Fuller	Lawson	Rider, J.J.	Thornton
Callahan	Gleason	Lee	Robbins	Tilton
Carroll	Glenn	Lounsbury	Robson	Trainor
Cassin	Gould	Loonan	Roche	Tuttle
Chambers	Gray	Marrin	Schoepflin	Van Amber
Chapman	Herrman	Matthews	Schulz, F.F.	Vehslage
Clark, F.E.	Higbie	McDermott	Schulz, H	Wells
Conklin	Hobbie	McNamee	Seibert	Wilcox
Cutler	Hoefer	Melody	Sheffield	Wray
Davidson	Horton	Messiter	Sherwood	Wyckoff
Dean	Hotaling			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bill :

"An act to amend chapter 135 of the Laws of 1894, entitled 'An act in relation to funds and property formerly in the custody of the Court of Chancery' " (not printed, Rec. No. 344), which was read the first time and referred to the committee on the judiciary.

The bill (No. 1241) entitled "An act to repeal section 4 of title 18 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to contracts for supplying the public lamps with gas" (Int. No. 1103), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Lasch	Prescott	Stone
Baker	Fish	Lawson	Rider, J.J.	Sulzer
Braun	Foley	Lee	Roche	Taylor
Brennan	Friday	Loonan	Ryder, E.L.	Thornton
Brownell	Fuller	Marrin	Schillinger	Tilton
Bush	Gleason	McDermott	Schoepflin	Tobin
Butts	Glenn	McNamee	Schulz, F.F.	Trainor
Carroll	Gould	Melody	Schulz, H	Tuttle
Cassin	Gray	Messiter	Seibert	Vacheron
Clark, F.E.	Hennessy	Mitnacht	Sherwood	Van Amber
Corrigan	Herrman	Myers	Smith, M.F.	Vehslage
Davidson	Hobbie	O'Donnell	Snyder	Wells
Dean	Hoeffler	O'Grady	Southworth	Wieman
Dinkelspiel	Hotaling	Parkhurst	Stadtfeld	Wilcox
Douglas	Houghton	Plant	Stein	Wray
Dowling	Kneeland	Porter	Stewart	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Porter introduced a bill entitled "An act to amend chapter 448 of the Laws of 1893, entitled 'An act to establish an institute for the care and custody of unteachable idiots' " (Int. No. 1460),

which was read the first time and referred to the committee on the judiciary.

The bill (No. 1208) entitled "An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provisions for the celebration of Memorial Day, including the year 1893'" (Int. No. 1116), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	O'Grady	Stadtfeld
Babcock	Douglas	Howe	Parkhurst	Stein
Baker	Dowling	Keck	Plant	Stewart
Berry	Eldredge	Keenan	Porter	Stone
Braun	Fairbrother	Kelcher	Prescott	Sulzer
Brennan	Fish	Kelsey	Rider, J.J.	Taylor
Brownell	Foley	Kneeland	Robbins	Thompson
Burtis	Friday	Lasch	Robertson	Thornton
Butts	Fuller	Lawson	Robinson	Tilton
Carroll	Gerst	Lee	Robson	Trainor
Cassin	Glenn	Lounsberry	Roche	Tuttle
Chambers	Gould	Loonan	Schoepflin	Van Amber
Chapman	Gray	Marrin	Schulz, F.F.	Vehslage
Clark, F.E.	Herrman	McDermott	Schulz, H	Wells
Conklin	Higbie	Melody	Seibert	Wieman
Corrigan	Hobbie	Messiter	Sherwood	Wilcox
Cutler	Hoeffer	Mittnacht	Smith, M.F.	Wray
Davidson	Horton	Myers	Snyder	Wyckoff
Dean	Hotaling	O'Donnell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following :

Resolved, That speeches on third reading of bills hereafter be limited to five minutes for each member speaking thereon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 1215) entitled "An act to amend chapter 410 of

the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the street cleaning service in said city " (Int. No. 1092), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Howe	Myers	Stadtfeld
Baker	Fairbrother	Keck	O'Donnell	Stein
Berry	Fish	Keenan	O'Grady	Stewart
Braun	Foley	Keleher	Parkhurst	Sulzer
Brennan	Friday	Kelsey	Plant	Taylor
Bush	Fuller	Kerrigan	Porter	Thompson
Butts	Gardiner	Kneeland	Prescott	Thornton
Cain	Gleason	Lasch	Rider, J.J.	Tilton
Callahan	Glenn	Lawson	Robinson	Tobin
Carroll	Gould	Lee	Robson	Trainor
Cassin	Gray	Lounsbury	Roche	Tuttle
Chapman	Herrman	Loonan	Schillinger	Van Amber
Clark, F.E.	Higbie	Marrin	Schoepflin	Vehslage
Conklin	Hobbie	McDermott	Schulz, F.F.	Wells
Dean	Hoefler	McNamee	Schulz, H	Wieman
Dinkelspiel	Horton	Melody	Seibert	Wilcox
Douglas	Hotaling	Messiter	Sherwood	Wray
Dowling	Houghton	Mitnacht	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1151) entitled "An act to amend chapter 517 of the Laws of 1889, entitled 'An act to establish a normal and training school at the village of Plattsburgh, in the county of Clinton, and to make an appropriation therefor,' relating to the board of managers" (Int. No. 1017), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Howe	O'Donnell	Stadtfeld
Baker	Fairbrother	Hoysradt	O'Grady	Stein
Berry	Finnigan	Keck	Parkhurst	Stewart
Braun	Fish	Keleher	Plant	Stone
Brennan	Foley	Kelsey	Porter	Sulzer
Brownell	Friday	Kerrigan	Rider, J.J.	Taylor
Bush	Fuller	Kneeland	Robinson	Thompson
Butts	Gardiner	Lasch	Robson	Thornton
Cain	Gleason	Lawson	Roche	Tilton
Carroll	Glenn	Lee	Ryder, E.L.	Tobin
Cassin	Gould	Lounsbury	Scanlon	Trainor
Chapman	Gray	Loonan	Schillinger	Tuttle
Clark, F.E.	Herrman	Marrin	Schoepflin	Van Amber
Conklin	Higbie	McDermott	Schulz, F.F.	Vehslage
Corrigan	Hobbie	McNamee	Schulz, H	Wells
Davidson	Hoefer	Melody	Seibert	Wieman
Dean	Horton	Messiter	Sherwood	Wilcox
Dinkelspiel	Hotaling	Mittnacht	Snyder	Wray
Douglas	Houghton	Myers	Southworth	Wyckoff
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1229) entitled "An act to amend section 37 of the Election Law, relating to addition and cancellation of names on registry lists" (Int. No. 1088), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	O'Donnell	Southworth
Babcock	Douglas	Houghton	O'Grady	Stadtfeld
Baker	Dowling	Howe	Parkhurst	Stein
Berry	Eldredge	Keck	Plant	Stewart
Braun	Fairbrother	Keleher	Porter	Stone
Brennan	Finnigan	Kelsey	Prescott	Sulzer
Brownell	Fish	Kneeland	Rider, J.J.	Taylor
Bush	Foley	Lasch	Robinson	Thornton
Butts	Friday	Lawson	Robson	Tilton

Callahan	Fuller	Lee	Roche	Tobin
Carroll	Gleason	Lounsbury	Ryder, E.L.	Trainor
Cassin	Glenn	Loonan	Scanlon	Tuttle
Chambers	Gould	Marrin	Schillinger	Van Amber
Chapman	Gray	McDermott	Schoepflin	Vehslage
Clark, F.E.	Herrman	McNamee	Schulz, F.F.	Wells
Conklin	Higbie	Melody	Schulz, H	Wieman
Corrigan	Hobbie	Messiter	Sherwood	Wilcox
Cutler	Hoefler	Mitnacht	Smith, M.F.	Wray
Davidson	Horton	Myers	Snyder	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 47) entitled "An act authorizing the superintendent of public works to remove the bridge now spanning Erie canal at Main street in the village of Fairport" (Int. No. 49), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, strike out the words "New York" and insert the words "Monroe county."

Same page, line 9, strike out the words "two thousand dollars."

Same page, line 10, after the word "appropriated" strike out a comma.

Page 2, line 5, strike out comma after the word "authorized."

Amend the title by inserting the word "the" before the word "Erie."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 97) entitled "An act making an appropriation to pay for the construction of a sewer under the Oswego canal in the village of Fulton, New York" (Int. No. 192), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, strike out the words "New York" and insert "Oswego county."

Same page, line 6, after the word "works" strike out the comma.

Same page, line 7, after the word "village" strike out comma.

Amend the title by striking out the words "New York."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1336) entitled "An act authorizing agricultural societies and corporations to lease their grounds" (Int. No. 1181), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the word "ninety-one" insert a comma; also, insert the words "article five" after the same word.

Amend the title so as to read as follows:

"An act to amend the agricultural law, authorizing agricultural societies and corporations to lease their grounds."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1323), entitled "An act ceding to the city of Buffalo, for park purposes, a strip of land on the south side of Scajauquady creek, in said city, now a portion of the lands of the Buffalo State Hospital" (Int. No. 1167), reported the same with the recommendation that it be amended as follows:

Page 2, line 1, change the word "Scajanquady" to the word "Scajauquada."

Same page, line 11, after the word "with" insert the word "a."

Same page, line 17, change the word "Scajanquady" to the word "Scajauquada;" also, make the same correction in line 18.

Amend the title by changing the word "Scajanquady" to the word "Scajauquada."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1337) entitled "An act to amend section 14 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Int. No. 1182), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, strike out the comma after the word "retain."

Page 2, line 1, after the word "transfer" insert the word "tax;" also strike out the word "four" and insert the word "three."

Amend the title by striking out the words "section fourteen of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1449) entitled "An act relative to the Supreme Court of the second judicial department" (Int. No. 1271), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the word "majoriay" and insert the word "majority."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1464) entitled "An act making an additional appropriation for the construction of a swing or hoist bridge over the Erie canal at Emerson street in the city of Rochester" (Int. No. 552), reported the same with the recommendation that it be amended as follows:

Page 2, line 14, strike out the word "practical" and insert the word "practicable."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 990) entitled "An act to amend chapter 389 of the Laws of 1872, entitled "An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Hempstead, in the county of Queens" (Int. No. 904), reported the same with the recommendation that it be amended as follows:

Page 1, line 8, strike out the word "collection" and insert the word "collector."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1466) entitled "An act to provide for the erection of a suitable monument to the memory of the soldiers of the Ninth Regiment Volunteer Infantry of the State of New York who were engaged in the battle of Antietam, and making an appropriation therefor" (Int. No. 858), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, strike out the word "Launbein" and insert the word "Langbein."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1467) entitled "An act providing for the erection of a State armory in the village of Tonawanda, Erie county, the acquisition of a site therefor, and making an appropriation for building said armory" (Int. No. 211), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, strike out the word "inspecor" and insert the word "inspector."

Page 3, line 16, after the word "shall" strike out the comma.

Page 4, line 11, after the word "issue" insert a comma.

Same page, line 12, strike out the word "therein" and insert the word "thereon," and after the word "county" strike out the comma.

Same page, line 13, after the word "issue" insert a comma.

Same page, line 18, after the word "land" strike out the comma.

Same page, same line, after the word "compensation" strike out the comma.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1069) entitled "An act to release to Edward Morgan and James McConnon all the right, title and interest of the people of the state of New York, in and to certain real estate in the village of Herkimer, Herkimer county, New York" (Int.

No. 959), reported the same with the recommendation that it be amended as follows :

Page 1, line 8, strike out the word "the" and insert "that."

Page 2, line 3, after the word "surveyor" strike out the word "the" and insert "which."

Same page, line 12, after the word "ninety-one" strike out the quotation marks.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 789) entitled "An act authorizing and empowering the superintendent of public works to construct a lift-bridge or hoist-bridge over the Erie canal in the village of Canajoharie" (Int. No. 741), reported the same with the recommendation that it be amended as follows :

Page 2, line 1, strike out the word "that," and begin the next word "such" with a capital S.

Same page, line 6, strike out the word "consuuction" and insert the word "construction."

Amend the title by inserting after the word "Canajoharie" a comma, and adding the words "and making an appropriation therefor."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1393), entitled "Concurrent resolution proposing amendment to article 6 of the Constitution of this State, in relation to county judges and court of sessions in the county of Kings" (Int. No. 1241), reported the same with the recommendation that it be amended as follows :

Page 1, line 9, strike out the comma after the word "amendment."

Page 2, line 14, after the word "Legislature" strike out the period and insert a semicolon ; and after the word "Legislature" begin the word "It" with a small "i."

Same page, line 15, strike out the comma after the word "county."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 935) entitled "An act to provide for the removal of the bridge over the Erie canal at Porter avenue, in the city of Buffalo, to Jersey street in said city, and for the construction of a new bridge at Porter avenue in said city" (Int. No. 854), reported the same with the recommendation that it be amended as follows:

Page 2, line 4, after word "completed" strike out the comma.

Same page, line 15, after the word "appropriation" strike out the comma.

Same page, line 6, after the word "work" strike out the comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1392) entitled "An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts" (Int. No. 1240), reported the same with the recommendation that it be amended as follows:

Page 1, line 12, strike out the letter "s" from the word "days."

Same page, line 12, strike out the comma after the word "July," and insert the word "respectively."

Page 2, line 9, after the word "shall" insert the word "in."

Same page, line 14, strike out the letter "s" from "becomes."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1444) entitled "An act to amend chapter 49 of the Laws of 1893, entitled 'An act to provide for the construction of a sewer in the city of Newburgh'" (Int. No. 1266), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "ninety-three" insert the words "entitled 'An act to provide for the construction of a sewer in the city of Newburgh.'"

Page 2, lines 6 and 7, strike out the words "chapter 49 of the Laws of 1893" and insert the words "said act."

Page 3, lines 8 and 9, strike out the parentheses.

Page 4, line 10, after the word "assessment" strike out the comma.

Same page, line 16, after the word "correct" strike out the comma.

Same page, line 23, after the word "taxes" strike out the comma.

Same page, line 24, after the word "taxes" strike out the comma.

Page 5, strike out lines 3, 4, 5 and 6.

Same page, line 7, change the figure "8" to the figure "3."

Amend the title by inserting after the word "Newburgh" the words "extending time for payment."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 943) entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws'" (Int. No. 862), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "ninety" insert the words "entitled 'An act in relation to railroads, constituting chapter 39 of the general law.'"

Amend the title so as to read as follows:

"An act to amend the railroad law, relating to definitions."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1247) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court" (Int. No. 1109), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, after the word "thereof" strike out the comma.

Same page, line 9, after the word "district" insert a semicolon.
 Page 2, line 11, after the word "district" insert a comma.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation.

"An act to amend the railroad law, in relation to electric light and power corporations becoming railroad corporations." (No. 1331, Int. No. 1176.)

"An act to improve a certain highway in the town of Greenwich, Washington county, and making an appropriation therefor" (No. 371, Int. No. 362.)

"An act making appropriations for the promotion of agriculture in this State." (No. 1465, Int. No. 542.)

"An act to confirm the proceedings taken in the issue of the village of New Rochelle highway improvement bonds numbered "B one" to "B fifty" inclusive." (No. 831, Int. No. 765.)

"An act to provide for the serial publication, without expense to the State, of the decisions of certain courts as soon as handed down." (No. 1358, Int. No. 1229.)

"An act to provide for the payment of all excise moneys and fines for the breach of the laws in relation thereto in the city of Brooklyn, into the revenue fund of said city, and to repeal all acts and parts of acts inconsistent therewith." (No. 1298, Int. No. 1138.)

"An act to provide for the incorporation of medical societies in the several counties set apart in this State since the passage of the act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813." (No. 1254, Int. No. 1118.)

"An act making an appropriation for the payment of the actual expenses of travel incurred in the performance of their duty by the State game and fish protectors, while engaged in the discharge of their duties." (No. 640, Int. No. 603.)

"An act to fix and regulate the rate of fare to be charged by the Troy City Railway Company." (No. 984, Int. No. 895.)

"An act to provide factory inspectors and deputy factory inspectors with badges." (No. 1427, Int. No. 1247.)

"An act reappropriating an unexpended balance of certain moneys, appropriated by chapter 726 of the Laws of 1893, for a duplicate pump for water supply for the St. Lawrence State Hospital, for other purposes." (No. 1243, Int. No. 1135.)

"An act to appropriate money for the support of the insane under the provisions of chapters 126 of the Laws of 1890 and 214 of the Laws of 1893." (No. 1234, Int. No. 1094.)

Ordered, That said bills be engrossed for a third reading.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 595, entitled "An act to amend section 116 of title 2, chapter 10 of part 4 of the Revised Statutes, relating to States prisons" (Int. No. 559), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of police commissioners in said city" (No. 979, Rec. No. 331), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. Ainsworth, the House adjourned.

TUESDAY, APRIL 10, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Wallace H. Butrick.

On motion of Mr. Baker, the journal of yesterday was approved without being read.

Mr. Whittet rose in his place and stated that he was unavoidably absent last evening when the vote was taken on recommitting the bill (No. 457) entitled "An act with reference to the removal and appointment of heads of department in the city of New York" (Int. No. 434), and had he been present he would have voted against the motion to recommit.

Mr. Denniston made a like statement.

Mr. Speaker announced the calendar of the day.

The bill (No. 1249) entitled "An act to amend section 7 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, as amended by chapter 451 of the Laws of 1892, and chapter 695 of the Laws of 1893, in relation to the department of police and excise of the city of Brooklyn'" (Int. No. 1111), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 64 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Hotaling	Melody	Schulz, F.F.
Baker	Finnigan	Houghton	Messiter	Seibert
Braun	Fish	Howe	Mittnacht	Stadtfeld
Bush	Foley	Hoysradt	Myers	Sulzer
Butts	Friday	Keenan	Plant	Terry, J.F.
Callahan	Gardiner	Keleher	Porter	Thompson
Cassin	Gerst	Kelsey	Prescott	Tilton
Chapman	Gray	Kerr	Robbins	Vehslage
Clark, F.E.	Harrigan	Kneeland	Robertson	Wells
Cutler	Hennessy	Lawson	Roche	Whittet
Davidson	Herrman	Lee	Ryder, E.L.	Wieman
Dinkelspiel	Hoefler	Marrin	Scanlon	Wyckoff
Dowling	Horton	McDermott	Schillinger	

Mr. Sulzer moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1255) entitled "An act to amend the Code of Criminal Procedure, relating to witness' fees" (Int. No. 1119), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 72 }
 { NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Keleher	Mittnacht	Stadtfeld
Babcock	Gardiner	Kelsey	Myers	Stein
Baker	Gerst	Kerr	Parkhurst	Sulzer
Brownell	Glenn	Kern	Porter	Terry, J.F.
Bush	Gould	Kerrigan	Rider, J.J.	Tilton
Butts	Gray	Lawson	Robertson	Trainor
Clark, F.E.	Harrigan	Lee	Robson	Tuttle
Conklin	Herrman	Lounsbury	Roche	Van Amber
Corrigan	Higbie	Marrin	Ryder, E.L.	Vehslage
Cutler	Hoefer	McDermott	Scanlon	Wells
Dinkelspiel	Horton	McKeon	Schulz, H	Whittet
Dowling	Hotaling	McNamee	Seibert	Wieman
Eldredge	Houghton	Melody	Sherwood	Wilcox
Fairbrother	Howe	Messiter	Snyder	Wyckoff
Fish	Keenan			

In the negative,

Prescott

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1101) entitled "An act to prevent the pollution of the Oswegatchie river and the water supply of the city of Ogdensburg" (Int. No. 1067), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 68 }
 { NOES 20 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Howe	Prescott	Smith, S.W.
Babcock	Finnigan	Keck	Rider, J.J.	Snyder
Baker	Fish	Kelsey	Robbins	Stone
Berry	Foley	Kern	Robertson	Terry, C.W.
Braun	Friday	Kneeland	Robson	Terry, J.F.
Brownell	Fuller	Lawson	Roche	Thornton
Chambers	Gerst	Lee	Ryder, E.L.	Tilton
Clark, F.E.	Gould	Lounsbury	Scanlon	Tuttle
Conklin	Gray	Loonan	Schulz, H	Vacheron
Cutler	Harrigan	Matthews	Seibert	Van Amber
Dean	Higbie	Messiter	Sheffield	Wells

Denniston	Horton	O'Grady	Sherwood	Wilcox
Dinkelspiel	Hotaling	Parkhurst	Smith, M.F.	Wyckoff
Eldredge	Houghton	Porter		

Those who voted in the negative, were

Butts	Hoysradt	Marrin	Mittnacht	Schulz, F.F.
Callahan	Keleher	McDermott	Myers	Sulzer
Davidson	Kerr	McKeon	Robinson	Vehslage
Herrman	Kerrigan	Melody	Schillinger	Wieman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1207) entitled "An act to amend chapter 491 of the Laws of 1892, entitled 'An act in relation to jurors, and to the appointment and the duties of a commissioner of jurors in the county of Westchester'" (Int. No. 1115), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kerr	Prescott	Stevens
Babcock	Fuller	Kern	Rider, J.J.	Stewart
Baker	Gardiner	Kerrigan	Robbins	Stone
Berry	Gerst	Kneeland	Robertson	Sulzer
Braun	Glenn	Lawson	Robinson	Terry, C W.
Cassin	Gould	Lee	Robson	Terry, J.F.
Chapman	Gray	Lounsbury	Scanlon	Thompson
Clark, F.E.	Harrigan	Loonan	Schillinger	Tilton
Conklin	Herrman	Marrin	Schoepflin	Tuttle
Cutler	Higbie	McDermott	Schulz, H	Vacheron
Dean	Hobbie	McKeon	Seibert	Van Amber
Denniston	Horton	McNamee	Sheffield	Vehslage
Douglas	Hotaling	Melody	Sherwood	Wells
Dowling	Howe	Messiter	Smith, M.F.	Whittet
Eldredge	Hoysradt	Myers	Smith, S.W.	Wieman
Fairbrother	Keenan	O'Grady	Snyder	Wilcox
Finnigan	Keleher	Parkhurst	Stadtfeld	Wray
Fish	Kelsey	Porter	Stein	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1321) entitled "An act to authorize the town of Flatlands, Kings county, to sell and convey certain real property therein owned by said town to the First Methodist Protestant church in said town" (Int. No. 1165), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Foley	Keenan	Parkhurst	Stadtfeld
Babcock	Friday	Keleher	Porter	Stein
Baker	Fuller	Kelsey	Prescott	Stevens
Berry	Gardiner	Kerr	Rider, J.J.	Stone
Braun	Gerst	Kern	Robbins	Sulzer
Brownell	Glenn	Kerrigan	Robertson	Terry, C.W.
Cassin	Gould	Kneeland	Robson	Terry, J.F.
Chambers	Gray	Lawson	Roche	Thompson
Clark, F.E.	Hennessy	Lee	Scanlon	Tilton
Conklin	Herrman	Lounsbury	Schoepflin	Tuttle
Cutler	Higbie	Loonan	Schulz, F.F.	Vacheron
Davidson	Hobbie	McDermott	Schulz, H	Van Amber
Dean	Hoeffer	McKeon	Seibert	Wells
Denniston	Horton	McNamee	Sheffield	Whittet
Eldredge	Hotaling	Melody	Sherwood	Wieman
Fairbrother	Houghton	Messiter	Smith, M.F.	Wilcox
Finnigan	Howe	Myers	Smith, S.W.	Wyckoff
Fish	Keck	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 773) entitled "An act to place fire hydrants and lay the necessary mains in connection therewith in the city of New York" (Rec. No. 282), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Porter	Smith, S.W.
Babcock	Fish	Kerr	Prescott	Snyder
Baker	Friday	Kern	Rider, J.J.	Stadtfeld

Berry	Fuller	Kerrigan	Robbins	Stein
Braun	Gardiner	Kneeland	Robertson	Sulzer
Bush	Gerst	Lawson	Robinson	Ferry, C.W
Cahill	Glenn	Lee	Robson	Terry, J.F.
Callahan	Gould	Lounsbury	Roche	Thompson
Cassin	Gray	Loonan	Ryder, E.L.	Tilton
Chambers	Herrman	McDermott	Scanlon	Trainor
Chapman	Higbie	McKeon	Schoepflin	Tuttle
Conklin	Hobbie	McNamee	Schulz, F.F.	Van Amber
Cutler	Horton	Melody	Schulz, H	Vehslage
Davidson	Hotaling	Messiter	Seibert	Wells
Denniston	Houghton	Myers	Sheffield	Whittet
Dinkelspiel	Keck	O'Grady	Sherwood	Wilcox
Dowling	Keenan	Parkhurst	Smith, M.F.	Wyckoff
Eldredge	Keleher	Plant		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1345) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to arrears" (Int. No. 1161), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Foley	Keleher	Myers	Snyder
Berry	Friday	Kelsey	O'Grady	Stadtfield
Braun	Fuller	Kerr	Parkhurst	Stevens
Bush	Gardiner	Kern	Prescott	Stone
Cahill	Gerst	Kerrigan	Rider, J.J.	Sulzer
Callahan	Glenn	Kneeland	Robbins	Taylor
Cassin	Gould	La Fetra	Robertson	Terry, C.W
Chambers	Gray	Lawson	Robinson	Thompson
Chapman	Herrman	Lee	Robson	Tilton
Conklin	Higbie	Lounsbury	Ryder, E.L.	Tobin
Denniston	Hobbie	Loonan	Scanlon	Trainor
Dinkelspiel	Hoefler	McDermott	Schoepflin	Vacheron
Dowling	Hotaling	McKeon	Schulz, H	Van Amber
Eldredge	Houghton	McNamee	Seibert	Wells

Fairbrother	Howe	Melody	Smith, M.F.	Whittet
Finnigan	Keck	Messiter	Smith, S.W.	Wyckoff
Fish	Keenan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 809) entitled "An act to amend chapter 205 of the Laws of 1890, entitled 'An act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States,' as amended by chapter 538 of the Laws of 1892, and to reappropriate an unexpended balance of appropriation heretofore made to carry out the provisions of said act" (Int. No. 1187) was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 100 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Finnigan	Keleher	Porter	Stadtfeld
Babcock	Fish	Kelsey	Prescott	Stein
Baker	Foley	Kerr	Rider, J.J.	Stewart
Berry	Friday	Kern	Robbins	Stone
Braun	Fuller	Kerrigan	Robertson	Sulzer
Brennan	Gardiner	Kneeland	Robinson	Taylor
Bush	Gerst	Lawson	Robson	Terry, C.W.
Butts	Glenn	Lee	Roche	Terry, J.F.
Carroll	Gould	Lounsbury	Ryder, E.L.	Thompson
Chambers	Gray	Loonan	Scanlon	Thornton
Chapman	Harrigan	Marrin	Schillinger	Tilton
Clark, F.E.	Hennessy	McDermott	Schoepflin	Trainor
Conklin	Herrman	McKeon	Schulz, F.F.	Tuttle
Cutler	Hoefler	McNamee	Schulz, H.	Van Amber
Davidson	Horton	Melody	Seibert	Vehslage
Dean	Hotaling	Messiter	Sheffield	Wells
Dinkelspiel	Houghton	Mittnacht	Sherwood	Whittet
Dowling	Howe	Myers	Smith, M.F.	Wilcox
Eldredge	Keck	O'Grady	Smith, S.W.	Wray
Fairbrother	Keenan	Parkhurst	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. F. F. Schulz moved to take from the table the bill No.

1249. entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,' in relation to the department of police and excise and and police surgeons." (Int. No. 1111.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. F. F. Schulz moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Berry	Dinkelspiel	Houghton	Melody	Schulz, H
Berry	Dowling	Howe	Messiter	Seibert
Braun	Eldredge	Hoysradt	Mittnacht	Southworth
Brownell	Fairbrother	Keck	Myers	Stadtfeld
Bush	Finnigan	Keenan	Plant	Stein
Butts	Fish	Keleher	Porter	Stone
Cahill	Foley	Kelsey	Rider, J.J.	Sulzer
Cain	Friday	Kerr	Robbins	Taylor
Callahan	Gardiner	Kerrigan	Robertson	Thorapson
Carroll	Gerst	Kneeland	Robinson	Thornton
Cassin	Gleason	Lee	Robson	Trainor
Chambers	Gould	Lounsbury	Roche	Van Amber
Chapman	Harrigan	Marrin	Ryder, E.L.	Vehslage
Clark, F.E.	Hennessy	McDermott	Scanlon	Wells
Cutler	Herrman	McKeon	Schillinger	Wieman
Davidson	Horton	McNamee	Schulz, F.F.	

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Finnigan	Kelsey	Plant	Stadtfeld
Berry	Fish	Kerr	Porter	Stein
Braun	Foley	Kern	Rider, J.J.	Stone

Bush	Friday	Kerrigan	Robbins	Sulzer
Butts	Gardiner	Lawson	Robertson	Taylor
Cahill	Gerst	Lee	Robinson	Terry, C.W.
Cain	Gleason	Lounsbury	Roche	Terry, J.F.
Callahan	Gould	Marrin	Scanlon	Thompson
Carroll	Harrigan	McDermott	Schillinger	Thornton
Cassin	Hennesy	McKeon	Schoepflin	Tilton
Chapman	Herrman	McNamee	Schulz, F.F.	Tobin
Clark, F.E.	Houghton	Melody	Schulz, H	Trainor
Davidson	Hoysradt	Messiter	Seibert	Van Amber
Denniston	Keck	Mittnacht	Smith, M.F.	Vehslage
Dinkelspiel	Keenan	Myers	Snyder	Wieman
Dowling	Keleher	Parkhurst	Southworth	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. O'Grady in the chair.

The bill (No. 1294) entitled "An act to amend chapter 342 of the Laws of 1885, entitled 'An act for the better security of mechanics, laborers and others who perform labor or furnish material for buildings and other improvements in the several cities and counties of the State'" (Int. No. 1134), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 96 }
 } NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Hotaling	Myers	Smith, S.W.
Babcock	Eldredge	Howe	O'Donnell	Snyder
Baker	Fairbrother	Keck	Parkhurst	Stadtfeld
Berry	Finnigan	Keenan	Porter	Stein
Braun	Fish	Keleher	Prescott	Stone
Brownell	Foley	Kelsey	Rider, J.J.	Sulzer
Bush	Friday	Kerr	Robbins	Taylor
Butts	Fuller	Kern	Robertson	Terry, C.W.
Cahill	Gardiner	Kerrigan	Robinson	Thompson
Cain	Gerst	Kneeland	Robson	Thornton
Carroll	Glenn	Lawson	Roche	Tilton
Cassin	Gould	Lee	Ryder, E.L.	Tobin
Chapman	Gray	Lounsbury	Scanlon	Trainor
Conklin	Harrigan	Loonan	Schillinger	Vacheron

Coughlin	Hennessy	McDermott	Schoepflin	Van Amber
Cutler	Herrman	McNamee	Schulz, H	Vehslage
Davidson	Higbie	Melody	Seibert	Wells
Dean	Hoefler	Messiter	Sherwood	Wieman
Denniston	Horton	Mittnacht	Smith, M.F.	Wyckoff
Dinkelspiel				

In the negative

Marrin

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No 417, Int. No. 102, entitled "An act to provide for the distribution of the session laws and official reports of judges of courts of record," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill :

"An act making an appropriation for repairing and extending the high retaining wall of the Erie canal on the west side of South St. Paul street, in the city of Rochester, N. Y., between the north line of Court street and the aqueduct crossing the Genesee river" (No. 825, Rec. No. 325), which was read the first time and referred to the committee on ways and means.

Mr. Horton called from the table the bill (No. 960) entitled "An act to amend the game law" (Int. No. 374), previously laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. Horton, and by unanimous consent, said bill was amended as follows :

Line 5, after the word "tip-ups" insert the words "and set lines."

Line 10, after the word "waters" strike out the words "in the northern part;" after the word "county" insert the words "except Big Sodus bay," and strike out the words "contiguous to and which empty into Lake Ontario."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 {
 { NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keck	O'Grady	Smith, S.W.
Babcock	Finnigan	Keenan	Parkhurst	Snyder
Baker	Fish	Kelsey	Plant	Southworth
Berry	Foley	Kerr	Porter	Stadtfeld
Braun	Friday	Kern	Rider, J.J.	Stein
Brownell	Fuller	Kneeland	Robbins	Stone
Bush	Gardiner	La Fetra	Robertson	Sulzer
Cain	Gerst	Lasch	Robinson	Thompson
Carroll	Gleason	Lawson	Robson	Thornton
Chambers	Glenn	Lee	Roche	Tilton
Clark, F.E.	Gould	Lounsbury	Ryder, E.L.	Trainor
Conklin	Gray	Loonan	Scanlon	Tuttle
Coughlin	Herrman	Matthews	Schillinger	Van Amber
Cutler	Higbie	McDermott	Schoepflin	Vehslage
Dean	Hobbie	McKeon	Seibert	Wells
Denniston	Horton	Melody	Sheffield	Wilcox
Dinkelspiel	Hotaling	Messiter	Sherwood	Wray
Dowling	Houghton	Mittnacht	Smith, M.F.	Wyckoff
Eldredge	Howe	O'Donnell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1362) entitled "An act creating town boards for the purpose of adjusting assessments on real estate arising from unjust assessments" (Int. No. 1196), was read the second time.

On motion of Mr. Howe, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1288) entitled "An act to authorize the commissioners of the land office to grant all the interest of this State in certain lands formerly under the waters of the Hudson river, adjoining the village of Catskill, in the county of Greene, but which have been filled in" (Int. No. 1123), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1343) entitled "An act to authorize the sale of

certain lands and premises situated in the city of New York, which were devised by James Ewing Cooley to his executors in trust" (Int. No. 1188), was read the second time.

On motion of Mr. Sheffield, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1446) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport'" (Int. No. 1268), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1253) entitled "An act to amend chapter 197 of the Laws of 1885, entitled 'An act for the preservation of the public health and the registration of vital statistics in the city of Albany'" (Int. No. 1117), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 774) entitled "An act to further amend section 66 of chapter 410 of the Laws of 1892, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 108 of the Laws of 1889, in relation to the publication of notices in proceedings to acquire land or interests therein in said city" (Rec. No. 281), was read the second time.

On motion of Mr. Dinkelspiel, said bill was placed on the order of third reading.

The bill (No. 1462) entitled "An act to establish a pension fund for the paid fire department of the city of Rochester, N. Y." (Int. No. 1282), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1382) entitled "An act to amend section 475 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the construction of buildings" (Int. No. 1224), was read the second time.

On motion of Mr. Davidson, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (not printed) entitled "An act to amend chapter 101 of the Laws of 1894, entitled 'An act to authorize the commissioners of the sinking fund of the city of New York to cancel

and annul certain assessments and sales to the mayor, aldermen and commonalty of the city of New York for assessments affecting property in the city of New York, and directing the comptroller to make such assessments accordingly" (Int. No. 233), having been announced for a second reading,

On motion of Mr. Butts, said bill was amended as follows:

Page 2, line 3, add at the end thereof the words "as amended by chapter 101, Laws of 1894."

Amend the title by striking out the word "one" in the first line, after the word "chapter," and insert the word "five"; also, strike out the word "one" after the word "and," and insert the word "fifty-eight"; also, in second line, strike out the word "four" and insert the word "three" after the word "ninety."

Said bill, as amended, was then read the second time, and placed on the order of third reading.

The Senate bill (No. 418) entitled "An act to amend chapter 315 of the Laws of 1884, entitled 'An act requiring contracts for the conditional sales of property on credit to be filed in the town clerk's and other offices'" (Rec. No. 106), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The Senate bill (No. 758) entitled "An act to amend certain sections of chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled 'An act to incorporate the city of Ogdensburgh, and the acts amending the same'" (Rec. No. 248), having been announced for a second reading,

Mr. Ainsworth moved to amend the same as follows:

Page 3, line 8, strike out the words "belonging to different political parties," and insert "from each of the two political parties casting the largest number of votes in said city at the last general election."

Page 7, line 10, strike out the word "vote" and insert the word "veto."

Page 10, line 24, strike out the word "and," at end of line, and insert the word "on."

Page 19, line 13, after the word "shall" insert the word "be."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was read the second time and placed on the order of third reading.

The Senate bill (No. 734) entitled "An act to amend section 23

of chapter 39 of the Laws of 1853, so amended by chapter 679 of the Laws of 1871, as to be entitled 'An act to supply the city of Watertown with pure and wholesome water, and for other purposes' " (Rec. No. 235), was read the second time.

On motion of Mr. Fuller, said bill was placed on the order of third reading.

The Senate bill (No. 629), entitled "An act relative to the New York and Brooklyn bridge" (Rec. No. 165), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

The bill (No. 1475), entitled "An act to amend section 31 of article 2 of chapter 6 of the general laws, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws'" (Int. No. 823), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1474) entitled "An act requiring all savings banks and savings institutions organized and doing business under the laws of the State of New York to notify annually each depositor thereof by mail of all balances standing to the credit of such depositor" (Int. No. 1216), having been announced for a second reading,

Mr. Mittnacht moved to amend the same as follows :

Amend section 2, so as to read as follows :

"§ 2. Any such bank or savings institution violating any of the provisions of this act, shall be guilty of a misdemeanor, and subject to a fine of \$100 for each offense payable to the superintendent of the banking department, to be sued for and collected by such superintendent."

Add as section 3, the following :

"§ 3. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (No. 1476) entitled "An act to amend the general corporation law" (Int. No. 939), was read the second time.

On motion of Mr. Sheffield, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1477) entitled "An act to amend the county law" (Int. No. 966), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1478) entitled "An act to amend chapter 464 of the Laws of 1888, entitled 'An act to amend chapter 312 of the Laws of 1884, entitled An act respecting the employment of honorably discharged Union soldiers and sailors in the public service in the State of New York'" (Int. No. 912), was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1479) entitled "An act to amend the business corporation law" (Int. No. 941), was read the second time.

On motion of Mr. Sheffield, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate sent for concurrence the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the Port Jervis water works company,' passed May 8, 1868" (No. 537, Rec. No. 333), which was read the first time.

On motion of Mr. Thornton, said bill was substituted for Assembly bill No. 1420, Int. No. 793, same title and subject, now on the order of third reading.

"An act in relation to the labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise" (No. 888, Rec. No. 330), was read the first time.

On motion of Mr. Thornton, said bill was substituted for Assembly bill No. 1598, Int. No. 368, same title and subject, now on the order of third reading.

"An act to regulate the sales of convict-made goods, wares and merchandise manufactured by convicts in other States" (No. 800, Rec. No. 332), which was read the first time.

On motion of Mr. Thornton, said bill was substituted for Assembly bill No. 1595, Int. No. 389, same title and subject, now on the order of second reading.

The Senate returned the bill (No. 1589) entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' and the acts amenda-

tory and supplementary thereto" (Int. No. 1373), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Pursuant to previous notice, Mr. Fish moved to suspend Assembly rules Nos. 3, 15, 16, 17, 28, 29 and 49 for the purpose of reading out of its order on second and third readings Assembly bill (No. 1365) entitled "An act to revise the charter of the city of Yonkers" (Int. No. 864), now on the order of second reading, and that the same do now have its second and third readings.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 71 }
{ NOES 42 }

Those who voted in the affirmative, were

Ainsworth	Fish	Keck	Robertson	Terry, C.W.
Babcock	Friday	Kelsey	Robson	Terry, J.F.
Baker	Fuller	Kern	Schoepflin	Thompson
Braun	Gardiner	Kneeland	Schulz, F.F.	Thornton
Brownell	Gerst	Lawson	Schulz, H	Tilton
Burtis	Gould	Lee	Seibert	Tuttle
Chambers	Gray	Lounsbury	Sheffield	Vacheron
Clark, F.E.	Higbie	Messiter	Sherwood	Van Amber
Clark, J.H.	Hobbie	O'Grady	Smith, M.F.	Wells
Conklin	Hoefer	Parkhurst	Smith, S.W.	Whittet
- Cutler	Horton	Porter	Snyder	Wieman
Dean	Hotaling	Prescott	Stewart	Wilcox
Denniston	Houghton	Rider, J.J.	Stone	Wray
Eldredge	Howe	Robbins	Taylor	Wyckoff
Fairbrother				

Those who voted in the negative, were

Berry	Dinkelspiel	Keenan	McNamee	Schillinger
Bush	Dowling	Keleher	Melody	Southworth
Butts	Finnigan	Kerr	Mittnacht	Stadtfield
Cahill	Foley	Kerrigan	Myers	Stein
Cain	Gleason	Loonan	O'Donnell	Sulzer
Callahan	Harrigan	Marrin	Plant	Tobin
Carroll	Hennessy	McDermott	Robinson	Trainor
Cassin	Herrman	McKeon	Roche	Vehslage
Chapman	Hoysradt			

Said bill was then read the second time and placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 39 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robson	Terry, J.F.
Babcock	Fuller	Kern	Scanlon	Thompson
Baker	Gardiner	Kneeland	Schoepflin	Thornton
Braun	Gerst	Lawson	Schulz, F.F.	Tilton
Brownell	Glenn	Lee	Seibert	Tuttle
Burtis	Gould	Lounsbury	Sheffield	Vacheron
Chambers	Gray	Matthews	Sherwood	Van Amber
Clark, F.E.	Higbie	Messiter	Smith, M.F.	Wells
Conklin	Hobbie	O'Grady	Smith, S.W.	Whittet
Cutler	Hoefler	Parkhurst	Snyder	Wieman
Dean	Horton	Porter	Stewart	Wilcox
Denniston	Hotaling	Prescott	Stone	Wray
Eldredge	Houghton	Rider, J.J.	Taylor	Wyckoff
Fairbrother	Howe	Robbins	Terry, C.W.	Speaker
Fish	Keck	Robertson		

Those who voted in the negative, were

Berry	Chapman	Herrman	McNamee	Ryder, E.L.
Bush	Coughlin	Hoysradt	Melody	Schillinger
Butts	Dinkelspiel	Keleher	Mittnacht	Southworth
Cahill	Dowling	Kerr	Myers	Stadtfeld
Cain	Finnigan	Kerrigan	O'Donnell	Stein
Callahan	Foley	Marrin	Plant	Sulzer
Carroll	Gleason	McDermott	Robinson	Trainor
Cassin	Harrigan	McKeon	Roche	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following:

Whereas, Early in the session of the present Legislature a respectful message was sent by this House to the Honorable David B. Hill, requesting him to oppose the passage of the Wilson bill in the Senate of the United States; and

Whereas, The morning papers contain a copy of his speech delivered in the Senate yesterday; therefore,

Resolved (if the Senate concur), That the thanks of the Legislature are hereby extended to the Honorable David B. Hill for

his masterly arraignment of the foreign policy of the present administration, his exposition of the iniquitous income tax features of the Wilson bill and his denunciation of the un-American features of the present pending tariff legislation.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 102 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kerr	Prescott	Stone
Babcock	Friday	Kern	Rider, J.J.	Sulzer
Baker	Fuller	Kerrigan	Robbins	Taylor
Berry	Gardiner	Kneeland	Robertson	Terry, C.W.
Braun	Gerst	Lawson	Robinson	Terry, J.F.
Brownell	Gleason	Lee	Robson	Thompson
Burtis	Glenn	Lounsbury	Scanlon	Thornton
Butts	Gould	Loonan	Schoepflin	Tilton
Cain	Gray	Marrin	Schulz, F.F.	Tobin
Callahan	Harrigan	Matthews	Schulz, H	Trainor
Cassin	Higbie	McDermott	Seibert	Tuttle
Chambers	Hobbie	McKeon	Sheffield	Vacheron
Clark, F.E.	Hoefler	McNamee	Sherwood	Van Amber
Conklin	Horton	Melody	Smith, M.F.	Wells
Coughlin	Hotaling	Messiter	Smith, S.W.	Whittet
Cutler	Houghton	Myers	Snyder	Wieman
Dean	Howe	O'Donnell	Stadtfeld	Wilcox
Denniston	Keck	O'Grady	Stein	Wray
Dinkelspiel	Keenan	Parkhurst	Stevens	Wyckoff
Eldredge	Keleher	Porter	Stewart	Speaker
Fairbrother	Kelsey			

Those who voted in the negative, were

Carroll Roche Ryder, E.L.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

When the name of Mr. Bush was called he declined to vote.

On motion of Mr. Roche, Mr. Bush was excused from voting.

When the name of Mr. Dowling was called he declined to vote.

On motion of Mr. Fish, Mr. Dowling was excused from voting.

When the name of Mr. Southworth was called he asked to be excused from voting.

On motion of Mr. Ainsworth, Mr. Southworth was excused from voting.

The bill (No. 1359) entitled "An act in relation to the exemption from taxation of the real property of 'The Pythian Association of the city of Amsterdam'" (Int. No. 1211), having been announced for a third reading,

On motion of Mr. Gardiner, said bill was amended as follows:

Page 1, line 5, after the word "from" insert the words "all local."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 {
{ NOES 60 {

Those who voted in the affirmative, were

Ainsworth	Dowling	Hotaling	Porter	Stein
Babcock	Eldredge	Houghton	Prescott	Stewart
Baker	Fairbrother	Howe	Rider, J.J.	Stone
Braun	Finnigan	Keck	Robbins	Sulzer
Brennan	Fish	Kelsey	Robertson	Terry, C.W.
Brownell	Friday	Kerr	Robson	Terry, J.F.
Burtis	Fuller	Kern	Roche	Thompson
Callahan	Gardiner	Kneeland	Scanlon	Thornton
Carroll	Gerst	Lawson	Schillinger	Tilton
Cassin	Gleason	Lee	Schoepflin	Tobin
Chambers	Glenn	Lounsbury	Schulz, H.	Trainor
Chapman	Gould	Matthews	Schulz, F.F.	Vacheron
Clark, F.E.	Gray	Melody	Seibert	Van Amber
Conklin	Hennessy	Messiter	Sheffield	Wells
Corrigan	Herrman	Mittnacht	Sherwood	Whittet
Coughlin	Higbie	Myers	Smith, M.F.	Wieman
Cutler	Hobbie	O'Donnell	Smith, S.W.	Wilcox
Dean	Hoefler	O'Grady	Snyder	Wray
Denniston	Horton	Parkhurst	Stadtfeld	Wyckoff

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Burtis introduced a bill entitled "An act authorizing the executors and trustees of the estate of Charles Pratt, deceased, to set apart lands to be used as a family cemetery, to erect a mausoleum thereon and to legalize a trust of real and personal property for that purpose" (Int. No. 1461), which was read the first time.

Mr. Burtis asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Prescott	Stein
Babcock	Fish	Kelsey	Rider, J.J.	Stewart
Baker	Friday	Kerr	Robbins	Stone
Braun	Fuller	Kern	Robertson	Sulzer
Brownell	Gardiner	Kneeland	Robinson	Terry, C.W.
Burtis	Gerst	Lawson	Robson	Terry, J.F.
Bush	Gleason	Lee	Scanlon	Thompson
Cain	Glenn	Lounsbury	Schillinger	Thornton
Carroll	Gould	Loonan	Schoepflin	Tilton
Cassin	Gray	Matthews	Schulz, F.F.	Trainor
Chambers	Herrman	McDermott	Schulz, H	Tuttle
Clark, F.E.	Higbie	McKeon	Seibert	Vacheron
Clark, J. H.	Hobbie	McNamee	Sheffield	Van Amber
Conklin	Hoefler	Melody	Sherwood	Wells
Cutler	Horton	Messiter	Smith, M.F.	Whittet
Dean	Hotaling	Myers	Smith, S.W.	Wieman
Denniston	Houghton	O'Grady	Snyder	Wilcox
Dowling	Howe	Parkhurst	Stadtfeld	Wyckoff
Eldredge	Keck	Porter		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Bush introduced a bill entitled "An act to revise the charter of the city of Elmira" (Int. No. 1462), which was read the first time.

Mr. Bush asked unanimous consent that said bill do now have its second reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second time, placed on the order of third reading and referred to the committee on affairs of cities.

The bill (No. 1399) entitled "An act for the relief of John C. Ham, formerly of New York city, now residing at New Rochelle, Westchester county, and to authorize the comptroller of the city of New York to inquire into the claim of said John C. Ham, and to issue revenue bonds to pay same, and to authorize the board of estimate and apportionment of said city to make provision to pay said revenue bonds" (Int. No. 483), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Parkhurst	Stadtfeld
Babcock	Fairbrother	Keenan	Porter	Stein
Baker	Finnigan	Kelsey	Prescott	Stewart
Braun	Fish	Kerr	Rider, J.J.	Sulzer
Brownell	Friday	Kern	Robbins	Taylor
Burtis	Fuller	Kerrigan	Robertson	Terry, C.W.
Bush	Gardiner	Kneeland	Robson	Terry, J.F.
Carroll	Gerst	Lawson	Ryder, E.L.	Thompson
Cassin	Glenn	Lee	Scanlon	Thornton
Chambers	Gould	Lounsbury	Schillinger	Tilton
Chapman	Gray	Marrin	Schoepflin	Trainor
Clark, F.E.	Hennessy	Matthews	Schulz, F.F.	Tuttle
Conklin	Herrman	McDermott	Schulz, H	Van Amber
Corrigan	Higbie	McKeon	Seibert	Vehslage
Cutler	Hobbie	McNamee	Sherwood	Wells
Davidson	Horton	Messiter	Smith, M.F.	Wieman
Dean	Hotaling	Mitnacht	Smith, S.W.	Wilcox
Denniston	Houghton	O'Donnell	Snvder	Wyckoff
Dowling	Howe	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1402) entitled "An act fixing the pay, compensation and salary of the doormen and acting doormen of the park police of the city of New York, and providing for the payment of the same, and for their vacation and benefit under the pension fund" (Int. No. 849), was read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keenan	O'Grady	Stadtfeld
Babcock	Eldredge	Keleher	Parkhurst	Stein
Baker	Fairbrother	Kelsey	Porter	Stevens
Braun	Fish	Kerr	Prescott	Stewart
Brennan	Foley	Kerrigan	Rider, J.J.	Stone
Brownell	Friday	Kneeland	Robbins	Sulzer
Burtis	Fuller	La Fetra	Robinson	Taylor
Bush	Gardiner	Lasch	Robson	Terry, C.W.
Butts	Gerst	Lawson	Roche	Terry, J.F.
Cain	Glenn	Lee	Scanlon	Thompson
Carroll	Gould	Loonan	Schillinger	Thornton
Cassin	Harrigan	Marrin	Schoepflin	Tilton
Clark, F.E.	Hennessy	Matthews	Schulz, F.F.	Tobin
Conklin	Herrman	McDermott	Schulz, H	Trainor
Corrigan	Higbie	McKeon	Seibert	Tuttle
Coughlin	Hobbie	McNamee	Sheffield	Vacheron
Cutler	Hoefer	Melody	Sherwood	Van Amber
Davidson	Hotaling	Messiter	Smith, M.F.	Wells
Dean	Houghton	Mittnacht	Snyder	Wieman
Denniston	Howe	O'Donnell	Southworth	Wray
Douglas	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1233) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and acts amendatory thereof and supplemental thereto, relating to the board of education in the city of Brooklyn" (Int. No. 1003), reported the same without recommendation.

Ordered, That said bill be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1221) entitled "An act to amend section 23 of chapter 39 of the Laws of 1853, as amended by chapter 679 of the Laws of 1871, entitled 'An act to supply the city of Watertown with pure and wholesome water and for other purposes'"

(Int. No. 1080), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the word "forty" and insert the word "fifty"; also, in same page, same line, after the word "three" insert the words "entitled 'An act to supply the village of Watertown with pure and wholesome water, and for other purposes.'"

Same page, line 7, after the word "in" insert the word "the."

Same page, line 12, add the letter "s" to the word "purpose."

Amend the title by striking out the words "section twenty-three of," and after the last word "purposes" insert the words "making water rates a lien on real estate."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1129) entitled "An act to amend an act entitled 'An act in relation to the raising of funds for the relief of the poor of the town of Plattsburgh, in the county of Clinton,' passed May 30, 1879" (Int. No. 1061), reported the same with the recommendation that it be amended as follows:

Page 2, line 2, strike out the word "or" and insert the word "for."

Same page, line 3, after the word "and" insert the words "except for a violation of."

Same page, line 7, after the word "acts" insert the words "inconsistent with this act."

Same page, lines 8 and 9, strike out the words "which are inconsistent with the provisions of this act."

Amend the title so as to read as follows:

"An act to amend chapter 435 of the Laws of 1879, entitled 'An act in relation to the raising of funds for the relief of the poor of the town of Plattsburgh, in the county of Clinton.'"

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1287) entitled "An act to amend chapter 600 of the Laws of 1893, entitled 'An act to reduce, confirm and levy certain assessments in the city of Albany, to provide for the payment thereof, and in relation to certain sales thereunder'"

(Int. No. 1122), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "ninety-three" insert the words "entitled 'An act to reduce, confirm and levy certain assessments in the city of Albany, to provide for the payment thereof and in relation to certain sales thereunder.'"

Page 2, line 16, add the letter "s" to the word "amount."

Same page, line 23, after the word "annum" insert a comma.

Page 4, lines 3 and 4, strike out the words "chapter 600 of the Laws of 1893," and insert the word "act."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1452) entitled "An act to amend chapter 347 of the Laws of 1890, entitled 'An act to provide for the payment of the cost and expenses of the construction of a trunk sewer on the east side of the Genesee river in the city of Rochester by the issue of bonds of said city, and providing for the payment of said bonds by local assessments,' and the several acts amendatory thereof and supplementary thereto" (Int. No. 1275), reported the same with the recommendation that it be amended as follows:

Page 1, line 6, change the word "bouds" to the word "bonds."

Page 2, line 4, after the word "days" insert a comma.

Same page, line 5, strike out the words "days and may award the same to the highest bidder therefor."

Same page, line 22, after the word "necessary" insert a comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1310), entitled "An act to amend the statutory construction laws in reference to the computation of days" (Int. No. 1153), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "is" insert the word "hereby;" also, strike out the words "take effect immediately and to."

Page 2, after line 8 add the following section:

"§ 2. This act shall take effect immediately."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1377) entitled "An act to amend section 62 of chapter 568 of the Laws of 1890, as amended by chapter 212 of the Laws of 1891 and by chapter 686 of the Laws of 1892, constituting chapter 19 of the general laws, being what is known as the Highway Law" (Int. No. 1219), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "ninety" insert the words "entitled An act in relation to highways, constituting chapter 19 of the general laws."

Same page, lines 5, 6 and 7, strike out the words "constituting chapter 19 of the general laws, being what is known as the Highway Law."

Page 2, line 1, after the words "§ 62" insert the word "commutation."

Same page, line 5, after the word "commute" insert a comma. Amend the title so as to read as follows:

"An act to amend the Highway Law, relating to commutation money for road district work."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1440), entitled "An act to amend chapter 195 of the Laws of 1848, entitled 'An act to provide for the taking of acknowledgments of deeds and other written instruments by persons residing out of the State of New York,' and acts amendatory thereof and supplemental thereto" (Int. No. 1262), reported the same with the recommendation that it be amended as follows:

Page 2, line 1, strike out the letter "a" and insert the word "any."

Amend the title by striking out the word "of" at beginning of line 2, and strike out the word "of" at end of line 3; also strike the letter "e" second occurring in the word "acknowledgements."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1376) entitled "An act to amend chapter 356 of the Laws of 1889, entitled 'An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn'" (Int. No. 1217), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, insert a comma after the word "city."

Page 2, line 18, strike out the comma after the word "buildings."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 901) entitled "An act to amend an act entitled 'An act in relation to counties, constituting chapter 18 of the general laws'" (Int. No. 827), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the act" and insert the words "chapter 686 of the Laws of 1892."

Page 2, line 2, strike out the word "provides" and insert the word "provided."

Same page, line 3, strike out the word "now" and insert the word "not."

Same page, line 4, after the word "cities" strike out the comma; also, in same page, same line, after the word "counties" insert a comma.

Amend the title to read as follows:

"An act to amend the county law, relating to powers of boards of supervisors, with reference to tires of wagons."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 992), entitled "An act to amend section 3 of chapter 137 of the Laws of 1877, entitled 'An act to incorporate the library and reading-room of the village of Port Chester, in Westchester county'" (Int. No. 906), reported the same with the recommendation that it be amended as follows:

Page 1, line 8, strike out the word "thereof" and insert the word "hereof."

Amend the title by striking out the words "section 3 of" in line 1.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1223) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,' relative to the opening of streets and avenues in the Twenty-third and Twenty-fourth wards and the department of public works of the city of New York" (Int. No. 1082), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the word "of" strike out the words "said act" and insert the words "chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1374) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the department of fire" (Int. No. 1215), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the word "thirteen" insert a comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1386), entitled "An act to amend the highway law, relating to laying out highways upon line between

town and city or village" (Int. No. 1228), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, strike out the words "the highway law" and insert the words "chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws.'"

Amend the title by inserting a comma after the word "law" in the first line."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered placed on the order of second reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1367) entitled "An act to further extend and amend an act entitled 'An act to incorporate the Wandowenock Fire Hook and Ladder Company,' passed April 15, 1845" (Int. No. 1203), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, strike out the words "the act" and insert the words "chapter 67 of the Laws of 1845."

Same page, line 2, capitalize the words "fire" "hook" "ladder" and "company," and after the word "fire" insert a comma.

Same page, lines 2 and 3, strike out the words "passed April 15, 1845."

Page 2, line 11, strike out the word "the," also, in same line, add the letter "s" to the word "act."

Amend the title to read as follows :

"An act to further extend and amend chapter 67 of the Laws of 1845, entitled 'An act to incorporate the Wandowenock Fire, Hook and Ladder Company.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1469) entitled "An act relating to State finances, constituting chapter 10 of the general law" (Int. No. 225), reported the same with the recommendation that it be amended as follows :

Page 2, line 9, insert the figures "11" before the word "deposit."

Page 10, line 4, strike out the word "as" and insert the word "at."

Same page, line 15, after the word "officers" insert a comma; also, strike out the word "is" and insert the word "are."

Same page, line 18, after the word "directions" insert a comma.

Page 11, line 1, after the word "taxes" insert a comma.

Page 34, line 1, after the word "security" insert a comma.

Page 39, line 23, after the word "principal" strike out the comma.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The bill (No. 392) entitled "An act in relation to the justices' courts in the city of Brooklyn" (Int. No. 386), having been announced for a third reading,

Mr. Wray moved to strike out the enacting clause.

Debate being had thereon,

Mr. Hennessy moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Wray, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 67 }
{ NOES 35 }

Those who voted in the affirmative, were

Burtis	Dinkelspiel	Keenan	Mittnacht	Seibert
Bush	Dowling	Keleher	Myers	Southworth
Butts	Eldredge	Kerr	O'Donnell	Stadtfield
Cahill	Finnigan	Kerrigan	O'Grady	Stein
Cain	Foley	Kneeland	Plant	Stone
Callahan	Friday	Lawson	Robinson	Sulzer
Carroll	Gardiner	Lounsbury	Roche	Taylor
Cassin	Gleason	Loonan	Ryder, E.L.	Terry, J.F.
Chapman	Harrigan	Marrin	Scanlon	Tobin
Clark, F.E.	Hennessy	McDermott	Schillinger	Trainor
Corrigan	Herrman	McKeon	Schoepflin	Vehslage
Coughlin	Horton	McNamee	Schulz, F.F.	Whittet
Davidson	Houghton	Melody	Schulz, H	Wieman
Denniston	Hoysradt			

Those who voted in the negative, were

Ainsworth	Fairbrother	Hotaling	Robbins	Stewart
Babcock	Fuller	Kelsey	Robertson	Thornton
Baker	Glenn	Kern	Robson	Tilton
Braun	Gould	Matthews	Sheffield	Vacheron
Chambers	Gray	Messiter	Sherwood	Van Amber
Cutler	Higbie	Prescott	Smith, M.F.	Wilcox
Dean	Hobbie	Rider, J.J.	Snyder	Wray

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1257) entitled "An act to amend chapter 89 of the Laws of 1891, entitled 'An act to provide for the erection of museum buildings on park lands in the city of Brooklyn, and to authorize leases thereof to the Brooklyn Institute of Arts and Sciences'" (Int. No. 1125), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 {
 { NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kerr	Reilly	Stevens
Babcock	Fairbrother	Kerrigan	Rider, J.J.	Stewart
Baker	Foley	Kneeland	Robbins	Stone
Braun	Friday	Lawson	Robertson	Sulzer
Brennan	Fuller	Lee	Robinson	Taylor
Bush	Gardiner	Loonan	Robson	Terry, C.W.
Butts	Gerst	Marrin	Roche	Terry, J.F.
Cain	Glenn	Matthews	Ryder, E.L.	Thompson
Carroll	Gould	McDermott	Scanlon	Thornton
Cassin	Harrigan	McKeon	Schoepflin	Tilton
Chambers	Hennessy	McNamee	Schulz, F.F.	Trainor
Clark, F.E.	Higbie	Melody	Schulz, H	Tuttle
Conklin	Hobbie	Messiter	Seibert	Vacheron
Coughlin	Horton	Mittnacht	Sherwood	Vehslage
Cutler	Houghton	Myers	Smith, M.F.	Wells
Davidson	Howe	O'Donnell	Snyder	Whittet
Dean	Hoysradt	O'Grady	Southworth	Wilcox
Denniston	Keleher	Porter	Stein	Wyckoff
Dowling	Kelsey	Prescott		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1316) entitled "An act to amend the Agricultural Law and the Penal Code, relative to violations of the same" (Int. No. 160), having been announced for a third reading,

On motion of Mr. Wyckoff, said bill was laid aside.

The bill (No. 977) entitled "An act to regulate the number of trips at certain hours of ferry boats plying on the East river, between Broadway in the city of Brooklyn and Roosevelt street in the city of New York, and operated by the Brooklyn and New York Ferry Company" (Int. No. 888), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{	AYES	78	}
{	NOES	00	}

Those who voted in the affirmative, were

Babcock	Eldredge	Kerr	O'Grady	Stewart
Baker	Fairbrother	Kerrigan	Plant	Stone
Bush	Finnigan	Kneeland	Robertson	Sulzer
Butts	Fish	Lawson	Robinson	Taylor
Cahill	Foley	Lee	Roche	Terry, C.W.
Cain	Gardiner	Lounsbury	Scanlon	Thornton
Callahan	Gerst	Loonan	Schillinger	Tilton
Carroll	Gleason	Marrin	Schoepflin	Tobin
Cassin	Gould	McDermott	Schulz, F.F.	Trainer
Chambers	Hennessy	McKeon	Schulz, H	Van Amber
Chapman	Herrman	McNamee	Seibert	Vehslage
Clark, F.E.	Hobbie	Melody	Smith, M.F.	Wells
Coughlin	Houghton	Messiter	Snyder	Whittet
Dean	Keenan	Mittnacht	Stadtfeld	Wieman
Denniston	Keleher	Myers	Stein	Wyckoff
Dowling	Kelsey	O'Donnell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Schoepflin called from the table the bill (No. 1088) entitled "An act to amend the statutory construction law, in relation to provisions of law which are repealed and re-enacted" (Int. No. 978), previously laid aside on the order of third reading.

Said bill having been announced for a third reading,

Mr. Schoepflin moved to amend the same as follows:

Page 1, line 4, strike out the words "any chapter of the revision of the" and insert the word "a."

Same page, line 5, change the word "laws" to the word "law;" strike out the word "of," and the words "this chapter is a part so far as they are" and insert the words "repeals a prior law and."

Same page, line 6, strike out the words "the same as those of laws existing at the time such chapter takes effect" and insert the words "re-enact such law."

Same page, line 8, change the word "laws" to the word "law."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	O'Grady	Southworth
Babcock	Dowling	Keck	Parkhurst	Stadtfeld
Baker	Eldredge	Keleher	Porter	Stein
Braun	Fairbrother	Kelsey	Prescott	Stewart
Brownell	Finnigan	Kerr	Rider, J.J.	Stone
Burtis	Fish	Kern	Robbins	Taylor
Bush	Foley	Kerrigan	Robertson	Terry, C.W.
Butts	Friday	Kneeland	Robinson	Thompson
Cahill	Fuller	Lawson	Robson	Thornton
Cain	Gardiner	Lounsbury	Roche	Tilton
Carroll	Gerst	Loonan	Scanlon	Tobin
Cassin	Glenn	Marrin	Schillinger	Trainor
Chambers	Gould	Matthews	Schoepflin	Tuttle
Clark, F.E.	Harrigan	McDermott	Schulz, F.F.	Vacheron
Conklin	Herrman	McKeon	Seibert	Vehslage
Corrigan	Higbie	McNamee	Sheffield	Wells
Coughlin	Hobbie	Melody	Sherwood	Whittet
Davidson	Hoetler	Messiter	Smith, M.F.	Wilcox
Dean	Hotaling	Mittnacht	Snyder	Wyckoff
Denniston	Howe	O'Donnell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker resumed the chair.

The bill (No. 1102) entitled "An act to make further provisions for the erection of an armory in the county of Kings for the

Fourteenth Regiment, National Guard, State of New York " (Int No. 1005), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 83 {
} NOES 1 {

Those who voted in the affirmative, were

Ainsworth	Denniston	Hobbie	McNamee	Snyder
Babcock	Dinkelspiel	Horton	Melody	Stadtfeld
Baker	Dowling	Hotaling	Mitnacht	Stein
Braun	Eldredge	Houghton	O'Donnell	Sulzer
Bush	Fairbrother	Keenan	O'Grady	Terry, C.W.
Butts	Finnigan	Keleher	Parkhurst	Terry, J.F.
Cain	Fish	Kelsey	Rider, J.J.	Thornton
Callahan	Foley	Kern	Robbins	Tilton
Carroll	Friday	Kerrigan	Ryder, E.L.	Trainor
Cassin	Gardiner	Kneeland	Scanlon	Van Amber
Chambers	Gerst	Lawson	Schillinger	Vehslage
Clark, F.E.	Gleason	Lee	Schulz, F.F.	Wells
Conklin	Glenn	Lounsbury	Schulz, H	Whittet
Corrigan	Gould	Loonan	Seibert	Wieman
Coughlin	Gray	Marrin	Smith, M.F.	Wilcox
Davidson	Herrman	McDermott	Smith, S.W.	Wyckoff
Dean	Higbie	McKeon		

For the negative,

Matthews

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bill :

"An act to provide for the building of a pier between certain streets in the city of Brooklyn " (No. 901, Rec. No. 328), which was read the first time and referred to the committee on affairs of cities.

Mr. Thornton called from the table Senate bill No. 888 (substituted for Assembly bill No. 1598, Int. No. 368), entitled "An act in relation to the labeling and marking convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise " (Rec. No. 330), previously laid aside on the order of third reading.

Said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 93 {
} NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	O'Grady	Stadtfeld
Babcock	Eldredge	Keenan	Plant	Stein
Baker	Fairbrother	Keleher	Porter	Stewart
Braun	Finnigan	Kelsey	Rider, J.J.	Stone
Brownell	Fish	Kerr	Robbins	Sulzer
Butts	Friday	Kern	Robertson	Terry, C.W.
Cain	Fuller	Kneeland	Robinson	Terry, J.F.
Carroll	Gardiner	Lawson	Robson	Thompson
Cassin	Gleason	Lee	Scanlon	Thornton
Chambers	Glenn	Lounsbury	Schillinger	Tilton
Chapman	Gould	Loonan	Schoepflin	Trainor
Clark, F.E.	Gray	Matthews	Schulz, F.F.	Tuttle
Conklin	Herrman	McDermott	Schulz, H.	Van Amber
Corrigan	Higbie	McKeon	Seibert	Vehsiage
Cutler	Hobbie	Melody	Sherwood	Whittet
Davidson	Hoefler	Messiter	Smith, M.F.	Wieman
Dean	Horton	Mittnacht	Smith, S.W.	Wilcox
Denniston	Houghton	Myers	Snyder	Wyckoff
Dinkelspiel	Howe	O'Donnell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Higbie moved to take from the table the motion to reconsider the vote by which Senate bill (No. 109) entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof'" (Rec. No. 111), was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{	AYES	33	}
{	NOES	71	}

Those who voted in the affirmative, were

Ainsworth	Fuller	Howe	Ryder, E.L.	Terry, C W.
Cahill	Glenn	Keenan	Smith, M.F.	Terry, J.F.
Chambers	Gould	Keleher	Smith, S.W.	Tilton
Clark, F.E.	Harrigan	Matthews	Snyder	Vacheron
Conklin	Higbie	Rider, J.J.	Southworth	Van Amber
Cutler	Hobbie	Robbins	Taylor	Wells
Dinkelspiel	Horton	Robson		

Those who voted in the negative, were

Babcock	Foley	Kerrigan	Parkhurst	Stadtfeld
Braun	Friday	Kneeland	Plant	Stein
Butts	Gardiner	Lawson	Porter	Stewart
Cain	Gerst	Lee	Reilly	Sulzer
Callahan	Gleason	Lounsbury	Robertson	Thompson
Carroll	Gray	Loonan	Robinson	Thornton
Cassin	Hennessy	Marrin	Roche	Tobin
Chapman	Herrman	McDermott	Scanlon	Trainor
Corrigan	Hotaling	McKeon	Schillinger	Tuttle
Coughlin	Houghton	Melody	Schoepflin	Vehslage
Douglas	Hoysradt	Messiter	Schulz, F.F.	Whittet
Dowling	Kelsey	Mittnacht	Schulz, H	Wieman
Fairbrother	Kerr	Myers	Seibert	Wilcox
Finnigan	Kern	O'Donnell	Sherwood	Wyckoff
Fish				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the passage of the same.

When the name of Mr. Harrigan was called, he asked to be and was not excused from voting.

The bill (No. 1083) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York, in relation to actions for penalties'" (Int. No. 973), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	95	}
}	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keenan	O'Grady	Snyder
Babcock	Douglas	Keleher	Parkhurst	Southworth
Baker	Dowling	Kelsey	Plant	Stadtfeld
Braun	Fairbrother	Kerr	Porter	Stein
Brownell	Fish	Kern	Rider, J.J.	Stewart
Butts	Foley	Kerrigan	Robbins	Stone
Cain	Friday	Kneeland	Robertson	Sulzer
Callahan	Fuller	Lawson	Robson	Taylor
Carroll	Gerst	Lee	Roche	Terry, C.W.
Cassin	Gleason	Lounsbury	Ryder, E.L.	Terry, J.F.
Chambers	Glenn	Loonan	Scanlon	Tilton
Chapman	Gould	Marrin	Schillinger	Trainor
Clark, F.E.	Gray	McDermott	Schoepflin	Tuttle
Conklin	Higbie	McKeon	Schulz, F.F.	Van Amber
Corrigan	Hobbie	McNamee	Schulz, H	Vehslage
Cutler	Hoefler	Melody	Seibert	Wells
Davidson	Hotaling	Messiter	Sherwood	Whittet
Dean	Houghton	Mitnacht	Smith, M.F.	Wilcox
Denniston	Howe	O'Donnell	Smith, S.W.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bill :

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to reporting deaths, births and marriages" (No. 946, Rec. No. 345), which was read the first time and referred to the committee on affairs of cities.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 325, entitled "An act making an appropriation for repairing and extending the high retaining wall of the Erie canal on the west side of South St. Paul street, in the city of Rochester, N. Y., between the north line of Court street and the aqueduct crossing the Genesee river," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Gerst, Int. No. 1437, entitled "An act authorizing the construction of a stone

wall along the edge of the towing-path of the Erie canal and on the west line of property known as No. 10 Austin street, in the city of Buffalo, and making an appropriation therefor," reported in favor of the passage of the same, with the following amendment :

Page 2, line 5 (printed bill), strike out the word "aforesaid" and insert the words "of constructing said wall."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

By unanimous consent,

Mr. Foley introduced a bill entitled "An act relating to the jurisdiction of the Board of Claims" (Int. No. 1463), which was read the first time and referred to the committee on claims.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Owens, Rec. No. 215, entitled "An act in relation to the coroners' physician in the eastern district of the county of Kings," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stein, Int. No. 1214, entitled "An act to further amend section 307 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888 and chapter 531 of the Laws of 1890,' relating to a pension fund for the police department of said city," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Berry, Int. No. 837, entitled "An act providing for the submission of the question of consolidation of the city of Mount Vernon with certain territory under a single municipal administration, to a vote of the people," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Trainor, Int. No. 1344, entitled "An act to amend chapter 555 of the Laws of 1888, entitled 'An act to regulate and fix the pay or compensation of members of the police force who are police surgeons or doormen in all cities of this State having according to the last census a population exceeding 800,000,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Marrin, Int. No. 1322, entitled "An act to authorize the board of street opening and improvement of the city of New York to establish a public place on the southeasterly projection of Cedar park in said city, for the convenience of public travel and traffic," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McDermott, Int. No. 1351, entitled "An act to amend sections 10 and 11 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710, 1936 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and head of slips in said city,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Marvin, Int. No. 1166, entitled "An act relating to an approach to the Washington bridge in the city of New York, known as Bascobel avenue," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Carroll, Int. No. 840, entitled "An act to provide a new pumping house, pumping engines and conduit with appurtenances thereto for the purpose of supplying the city of Albany with an increased supply of water," reported

in favor of the passage of the same, with the following amendments :

Page 1, line 6, after the word "be" insert the word "forthwith."

Page 3, section 5, line 11, after the word "commissioners" insert the words "at a public meeting to be held by said board at a time and place to be specified in such advertisement which bids shall there and then (when all the bids are received) be opened and the contents thereof be made public by said board."

Same page, line 17, strike out the words "deposited with person designated as aforesaid" and insert the words "delivered therewith."

Page 4, line 8, change the word "terminates" to the word "terminated."

Same page, line 16, change the word "one" to the word "a."

Same page, line 20, after the word "city" insert the words "and are hereby declared to be the."

Same page, line 20, strike out the word "as" before the word "liquidated."

Page 6, line 12, strike out the words "and have connection with two of the said four pumps when the pumping station is completed for operation for pumping water into the said Bleecker reservoir."

Same page, line 15, after the word "of" insert the words "not less than."

Same page, line 16, after the word "street" insert the words "in which."

Same page, line 18, strike out the words "Prospect hill," and after the word "reservoir" strike out all of section 10.

Page 9, section 15, strike out lines 6, 7 and 8, and insert the words "The principal sum secured thereby shall be payable in twenty equal payments, for which payment the board of water commissioners is directed to make provision in the fixing of the amount to be paid for city water rates."

Same page, strike out all of section 16.

Page 10, strike out all of section 16 down to and including line 16.

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Robertson, Int. No. 231, entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police force in the city of Yonkers, and the acts amendatory thereof,'" reported in favor of the passage of the same, with the following amendments :

Insert as section 1 the following :

Section 9. The said police force shall consist of a captain of police, four sergeants and as many patrolmen as the said board may from time to time determine, not exceeding thirty-five; also, one police surgeon, two station-house keepers and one hostler. All members of the police force created by this act shall retain their present rank, unless promoted by the board of police, except as herein otherwise provided. The said board may from time to time employ and discharge such clerks, laborers and workmen as the needs of the department require. All other members of the police force authorized by this act shall be appointed by the board of police hereby created, and all vacancies shall be filled by appointments of said board. The said board hereby created shall have power to pass such rules, regulations and orders for the government of the police force as they may deem proper. They shall promulgate all regulations and orders to the force through the captain of police, who shall have the direction and control of said force, subject to the rules and regulations and orders of said board. The treasurer of said board shall execute a bond to the city of Yonkers in such penalty as the board shall determine, conditioned for the faithful discharge of his duties as such treasurer. The sureties shall justify before and the bond shall be approved by the mayor of the city of Yonkers, and filed in the office of the clerk of the city.

Change "Section 1" to "§ 2."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Finnigan, Int. No. 538, entitled "An act to provide for the annexation to the city of Brooklyn of the town of Flatbush, in Kings county," reported in favor of the passage of the following substitute therefor:

AN ACT to provide for the annexation to the city of Brooklyn of the town of Flatbush, in Kings county.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. All that territory now comprised within the limits of the town of Flatbush, in the county of Kings, with the inhabitants and estates therein, is hereby annexed to, merged in, and made a part of the city of Brooklyn, in the said county of Kings, and it shall hereafter constitute a part of the said city of Brooklyn, and shall be, and shall be known as the twenty-ninth ward of said city, and shall hereafter be subject to and governed by

the same laws, ordinances, rules and regulations, and entitled to the same rights, franchises and immunities as the said city of Brooklyn, as constituted at the time this act takes effect.

§ 2. The territory hereby annexed shall form a part of the third aldermanic district of the city of Brooklyn, and a part of the second judicial district of said city, as established by chapter five hundred and eighty-three of the laws of eighteen hundred and eighty-eight, and the justices of the peace and the police justices of said city shall have and exercise the same power and jurisdiction over said territory and the inhabitants thereof as they would have had and could have exercised had the said territory been a part of said city at the time said act was passed, and been thereby made a part of said judicial district.

§ 3. All public property in said town used for public educational purposes, and vested in said town, or in any public body, board, district, trustee or trustees, officer or officers, pertaining to the educational department or public school system thereof, shall become the property of, and is hereby vested in, the board of education of the city of Brooklyn. All moneys collected from taxes levied, or to be levied, for educational purposes in said town, and all moneys and funds due or to become due to said town, or any school district thereof, or which said town or school district is or shall become entitled to receive, for educational purposes, shall be paid over to the said board of education, and shall be controlled, applied and disbursed by said board, as is now by law provided. The school teachers now employed in said town shall be transferred to and become employes of the board of education of said city, subject to the same rules and regulations as other employes of said board. All other public property of said town is hereby vested in and declared to be the property of the city of Brooklyn, and except as otherwise provided in this act, the said city shall succeed to all the rights, claims, causes of actions, rights to uncollected taxes, uses, trusts, duties, privileges and immunities of said town of Flatbush. This act shall not affect or interfere with any cemetery or burying ground now existing and used as such, or any additions that may be made thereto, within the territory annexed, but the said cemeteries or burying grounds may be continued with the same rights and privileges as if this act had not been passed; but nothing in this last provision contained shall conflict with any existing law of the state of New York, governing cemeteries or burying grounds within the territory hereby annexed.

§ 4. The city of Brooklyn shall not be or become personally liable to pay any debt, liability or obligation of the town of Flatbush, or of any part or body thereof, contracted or incurred

prior to the time this act shall take effect, nor shall any property, within the limits of said city as constituted prior to the passage of this act, be taxed to pay any such debt, liability or obligation. But the property in such town or school district, as now constituted, as the case may be, shall remain liable for the said debts, liabilities and obligations, and the moneys to meet the same, principal and interest as they accrue, shall be raised by taxation upon the property of said town or school district now liable for said principal and interest; and the taxes raised therefor, when collected by the city of Brooklyn, shall be paid over to the treasurer of the county of Kings, or other officer or person charged with the payment of said indebtedness as now provided by law; and any moneys received by said city from taxes or assessments levied before this act shall take effect, applicable to the payment of such indebtedness, shall likewise be paid over to the officer or person charged with the duty of paying the same. The amounts annually payable by said town for water supplied to it under contracts between it and the Flatbush water-works company, existing on January first, eighteen hundred and ninety-four, and for gas or electric light supplied or to be supplied to it under contracts between it and the Flatbush gas company, and the Knickerbocker light and power company, existing on January first, eighteen hundred and ninety-four, shall, after this act takes effect, during the terms of said contracts be levied and collected from the property situated and taxable within the territory hereby annexed in the district chargeable therewith; and such amounts shall be paid to the said water-works company and the said gas company and said power company by said city when collected as they fall due from time to time under said contracts; and the said city of Brooklyn shall not distribute or furnish water for consumption or use within said territory, or lay any pipes or mains for the distribution or supply of water within said territory, until the expiration of the charter of said water-works company, or until the said city shall acquire the property rights and franchises of said company for public use by condemnation, power to so acquire the same in fee at any time being hereby vested in the said city. The money to pay for such property, rights and franchises shall be raised by the issue of water bonds, in the manner now provided by the issue of such water bonds by said city. But nothing herein contained shall be deemed to confer an exclusive franchise upon the said company or enhance the value of or add to its franchises or assets; but, on the contrary, the stock, assets and franchises of the said company shall be valued in any such proceeding to condemn the same without enhancement from any provision of this act being considered or

allowed. The said city of Brooklyn is hereby authorized to enter into contracts with said water-works company for water and fire hydrants until the said city acquires the property of the said company as aforesaid. No part of the debt of the city of Brooklyn incurred before this act shall take effect shall be a charge upon the territory hereby annexed, nor shall any property within said territory be taxed to pay such debt, except that the said territory shall be charged with and shall pay its proper proportionate amount of the debt of said city and the interest thereon, incurred for the construction and maintenance of the New York and Brooklyn bridge, and the property within said territory may be taxed to raise money for that purpose. All public moneys remaining unexpended in the hands of any officer, board or body of the said town, when this act shall take effect, shall be turned over to the treasurer of said city to be disbursed as other city moneys only for the purposes for which the same were raised and collected.

§ 5. This act shall not affect nor interfere with the collection of any general or other tax or assessment now levied or that may be levied in said town before this act shall take effect. The collector of taxes of said town shall proceed with the collection and enforcement of all taxes and assessments for the collection of which warrants shall have been or shall be issued, and delivered to him before this act shall take effect, and shall return the amounts thereof unpaid in the same manner as though this act had not been passed. And all officers, whether of said town or otherwise, heretofore or hereafter charged with any duty in reference to such tax or assessment, or the collection thereof, by sale or otherwise, shall proceed in the collection of such tax and assessment and sale therefor in the same manner and with like effect as though this act had not been passed. All officers, boards and bodies now charged by law with any duty in fixing or determining the amounts to be raised by taxation in the said town for the year eighteen hundred and ninety-four shall proceed with their respective duties and shall forthwith certify and report the amount so to be raised to the board of estimate of the city of Brooklyn, which is hereby given the power and authority to approve or modify the same as said board shall deem just and equitable; and the said board of estimate shall return the same amounts so approved or modified as aforesaid, to the said officers, boards and bodies so certifying the same to it as aforesaid for their further action thereon according to law. All officers, boards and bodies now charged by law with any duty in fixing and correcting valuations for the purpose of taxation, or in levying any tax in the said town, shall proceed with their respective duties so that the tax upon the prop-

erty and inhabitants of the said town for the year eighteen hundred and ninety-four shall be finally apportioned and levied in the same manner as though this act had not been passed. The said tax shall be paid into the treasury of the city, as collected. The warrant for the collection of said tax, and all warrants issued after this act shall take effect, shall be issued to the collector of taxes and assessments of the city of Brooklyn. And the said taxes shall be collected and enforced with rebate, interest, defaults and other proceedings, in the same manner and by the same officers as the taxes of other wards of said city.

§ 6. The supervisor of the town of Flatbush, and the several justices of the peace of said town, duly elected, qualified and acting at the time this act shall take effect, shall continue to hold their offices for the terms for which they were respectively elected. All suits, actions, proceedings, complaints, prosecutions and special proceedings which shall be pending in the territory hereby annexed before any court or justice of the peace, shall be heard and determined as though this act had not been passed; and the said justices of the peace shall continue to exercise, within said territory, the functions of their respective offices until the terms thereof shall respectively expire, or otherwise sooner be determined, in the same manner as though this act had not been passed, and the powers and jurisdictions of said justices within said territory, and their fees and emoluments and methods of procedure shall be as though this act had not been passed. But nothing in this section contained shall authorize any service of process issued by a justice of the peace of the said town or give any justice of the peace of said town, or constable thereof, jurisdiction outside of the territory to which his jurisdiction was limited before the passage of this act, or interfere with the jurisdiction of the justices of the peace and police justices of the city of Brooklyn over the territory hereby annexed. The terms of office of all other officers and boards, commissions and commissioners of said town, except the constables, and of every department and district thereof, shall cease and determine at the time this act shall take effect, except only when in such cases as it shall be necessary that such officer or board should be continued for the purpose of carrying out the provisions of this act, and in such cases such officers and boards are continued in office for the purposes aforesaid and for no other purpose, and except, also, that all proceedings now pending and unfinished for the opening, regulating, grading, paving or otherwise improving of any street or avenue in said town, shall, except as otherwise provided in this act, be continued and completed in the same manner and under the same laws, and with the like effect as though this act had not been passed. The regular

policemen and officers of police holding appointment from the board of police commissioners of the said town on January first, eighteen hundred and ninety-four, shall be transferred to the police force of the city of Brooklyn, with the rank and pay of patrolmen; and they shall be credited by the police department of the city of Brooklyn with the term of service rendered by them as regular policemen or officers under the police department of the town of Flatbush, as shown by the records of said department and shall be graded according to such term of service as other patrolmen in said city are graded. The salaries of said policemen shall be the same as those of the same grade in the police department of the city of Brooklyn; and said policemen shall be entitled to all the rights, privileges and benefits whatsoever now enjoyed by policemen under the police department of said city; and the said police department of the town of Flatbush shall become a police precinct of the city of Brooklyn. The mayor of the city of Brooklyn shall appoint before the first day of January next, one or more assessors, not exceeding two in number, so that the board of assessors of said city, exclusive of the president, shall consist of an even number. The term of office of the said additional assessor or assessors shall commence on the first day of January, eighteen hundred and ninety-five, and shall be the same, and he and they shall have the same powers and duties and receive the same compensation, as the other assessors of said city. One of the said additional assessors for the first term shall be a resident of the territory hereby annexed.

§ 7. The mayor and commissioner of city works of the said city and the supervisor of the said territory, hereby annexed, shall constitute a board to succeed the board of street and sewer commissioners of the town of Flatbush, and to all their rights, privileges, powers, duties, works and improvements, and shall continue, complete and finish the works, improvements, powers and duties of the said board of street and sewer commissioners until each and every act and duty required to be done under chapter one hundred and sixty-one of the laws of eighteen hundred and eighty-nine are finally done and completed, and all assessments and moneys required to be raised and provided for under the said act are paid and secured; and for such purposes the said act and all its provisions are hereby continued until such time as every act or duty therein required to be done is ended. All expenses of improvements of Flatbush avenue in the said town, including interest paid, or to be paid, other than the purchase from the Flatbush plank-road company and other than any moneys authorized to be expended on account of such plank-road, shall be charged to a district of assessment, to be fixed by said commissioners, and levied

and collected from the real property in such district in the annual tax levies beginning with the year eighteen hundred and ninety-nine, in ten successive annual installments, equal or nearly equal, to be fixed by such commissioners in such manner that the aggregate amount of such installments shall pay the entire amount charged on such assessed district with interest at four per cent until the time of the payment of the bonds to be issued therefor, as in said act, chapter one hundred and sixty-one of the laws of eighteen hundred and eighty-nine, provided. Before any special taxation or assessment district is fixed for work and improvements done by the said board and its successors, such commissioners shall make a map showing the same, and file the same in the department of city works of said city, and thereupon give notice by publication for at least ten days in two newspapers published in the city of Brooklyn, stating where such map is filed and the amount proposed to be assessed or charged on such district, and when and where parties may be heard in opposition to such district, and also in opposition to the amount proposed to be charged thereon, and such commissioners shall meet at such time and place and hear all such objections, and they may thereupon change such district or amount or confirm the same, and their decisions shall be final. No lien shall be deemed to be created against any specific piece of real estate (except as and when made by tax levy as herein provided) under this act by reason of any such district, or by reason of the amount chargeable thereon being fixed as herein provided. In the case of each work or improvement done or to be done under this act and the said act of eighteen hundred and eighty-nine, the expense of which it is provided shall be cast upon a district of assessment, the same shall be apportioned according to benefits, and the said board or its successors shall prepare an assessment-roll and map, showing each lot or plot in the district, and the amount, with interest, which has been and will be incurred up to the time when the first installment will be levied at the same time and in the same manner as the annual taxes in the said city, such amount in each case to be set down in the roll opposite the number of the lot or plot; and opposite to this in separate columns shall be set down each installment thereof, to be levied in successive years as aforesaid, each column to have the year at its head; each installment to be an equal part of such total amount, plus the interest on itself and all subsequent installments for one year at four per centum. Such roll and map shall thereupon be open to the inspection of all interested. The said board or its successors shall give notice to all concerned of a hearing by the said board upon and in order to make such

apportionment, and the said apportionment shall not be made until after such hearing, and all changes or corrections that may be deemed just shall have been first made; whereupon the said board shall by resolution make and confirm such final apportionment; whereupon the president of the said board shall certify in writing in the said roll to the said apportionment, stating the total amount of the expense, and that it has been apportioned upon the lots and plots according to benefits, as shown by the said roll, the amount and installments apportioned to each lot or plot being set down opposite the number thereof. The said hearing shall be upon a notice of at least ten days, exclusive of the day of hearing, to all concerned, which shall be served by the publication thereof at least five times in the corporation newspapers published in the city of Brooklyn, the time of such notice to be reckoned from the day of the first publication. The said assessment-roll and map shall be in triplicate, one to be kept by the said board, one to be given to the board of assessors of the city, and one to be filed with the clerk of the board of supervisors of Kings county. In each annual tax-roll of the said twenty-ninth ward thereafter, beginning with the year for the levy of the first installment, the said roll shall be copied by the said assessors. The said installments, each in successive years, shall thereupon be levied in the same manner and at the same time as the annual taxes of the said city are levied, and each installment so to be levied shall become and be, and be deemed for all purposes, part and parcel of such annual tax, and shall be included in the collector's warrant, and he shall collect the same and pay it to the city treasurer. Such of the amount as shall not be collected shall in all respects be treated as uncollected taxes, and all provisions of law relative to the collection of taxes in the said city, the interest thereon, the return thereof for non-payment to the registrar of arrears of the said city and the sale of lands in default of such payment, shall apply thereto, but no rebate shall be allowed on any such installment. The city treasurer shall pay the money thus realized, whether in collections, or in credits or payments to him on or because of uncollected amounts so returned for non-payment, over to the trust company in the said act, chapter one hundred and sixty-one of the laws of eighteen hundred and eighty-nine, provided for as a financial agent, to be by it disbursed as therein elsewhere is provided. If any deficiency shall arise in the payment of the bonds to which such levies are applicable, in principal or interest, the same shall be realized for the time being by general taxation in the said twenty-ninth ward levied in the

same manner as taxes are now levied in the said city of Brooklyn. No installment of the apportionments herein provided for shall be a lien on real estate until levied as aforesaid.

§ 8. On the first day of July next the mayor, comptroller and auditor of the city of Brooklyn, or a majority of them, shall appoint a police justice in the territory hereby annexed, whose term of office shall be five years commencing on the first day of July, eighteen hundred and ninety-four, and he shall receive the same compensation as the police justices of the said city of Brooklyn; and the said justice, so appointed as aforesaid, shall have and exercise the same powers and jurisdiction in criminal and civil suits, actions, proceedings, complaints, prosecutions and special proceedings as are now had and exercised by the police justices of the said city of Brooklyn. The court of the said justice shall be established in the building now used as the town hall of the said town of Flatbush; and the said court shall have a clerk, janitor, and such other assistant clerks and official stenographer and court officers as the common council may from time to time authorize, who shall be appointed by and shall hold office during the pleasure of the said justice, and who shall receive the same compensation and have the same powers and duties as such clerks and stenographers of the courts of police justices of the said city of Brooklyn. The certificate of the appointment of the said justice shall be filed in the office of the city clerk. The successors of the said justice shall be appointed in like manner and for like terms of office. Vacancies shall be filled in like manner for the unexpired term.

§ 9. Immediately after the passage of this act the board of elections of the city of Brooklyn shall proceed and divide the territory hereby annexed into convenient election districts for the holding of general and special elections in the manner provided for dividing said city into election districts, and the districts so fixed shall be the districts for the purpose aforesaid until said city is again divided into election districts as by law provided.

§ 10. The Flatbush fire department shall continue, but under the supervisor and control of the fire department of the said city of Brooklyn, until such time as the commissioner of the fire department of the said city shall determine to replace the said Flatbush fire department by the regular paid force of said city; and any member of the said Flatbush fire department who shall be mustered out of service before serving out his full time shall receive a full discharge from the proper officers of the said Flatbush fire department and be entitled to the same privileges and

immunities as if he had served the full term of service. Whenever paid fire companies shall be first established in the territory hereby annexed, members of said Flatbush fire department shall have a preference to appointments therein without a civil service examination.

§ 11. All public books, papers and documents of said town, or of any district thereof, on file in any office, or with any officer thereof, shall be transferred to and filed with the appropriate officers or departments of the city of Brooklyn. And it shall be the duty of all persons having charge of such books, papers and documents to deliver the same to and file the same with the appropriate officer or department as in this section provided. And it shall be the duty of the mayor and comptroller of the city of Brooklyn, as soon as may be after this act takes effect, to cause the examination of the accounts of all persons and boards, having charge of any moneys of said town, to be made, and to report to the common council of said city the result of such examination.

§ 12. The board of estimate of the town of Brooklyn may from time to time fix and determine what sums of money the territory hereby annexed ought to be charged with and to pay for and on account of city expenses and interest upon the New York and Brooklyn bridge indebtedness, from the time this act shall take effect up to the first day of January, eighteen hundred and ninety-five, and in case the sums so fixed are greater than the amount raised by the said territory for the period aforesaid, which can be made applicable to such expenses and interest, the deficiency shall be included in the next annual tax levy in said territory and any amount necessary to meet such deficiency for the time being may be taken from the revenue fund of said city and replaced in said fund when collected from the tax levy.

§ 13. All acts and parts of acts inconsistent with this are hereby repealed, and all acts provided for the issuance of bonds to pay for public improvements in said town shall not be affected by this act. Nothing herein contained shall abrogate or limit any order of the supreme court, given under the railroad law, authorizing a railroad to be constructed across highways in said town, or impair the jurisdiction of the supreme court to enforce any such order or exercise any power of modification reserved or expressed therein.

§ 14. This act shall be held and be construed to be a public act, and it shall take effect immediately.

HAMILTON FISH,
Chairman.

Which report was agreed to.

Mr. Finnigan asked unanimous consent that said bill do now have its second reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second time and placed on the order of third reading.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend chapter 220 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof.'" (Int. No. 1452.)

"An act providing for the erection of a State armory in the village of Tonawanda, Erie county, the acquisition of a site therefor, and making an appropriation for building said armory." (Int. No. 211.)

"An act to release to Edward Morgan and James McConnon all the right, title and interest of the people of the State of New York, in and to certain real estate in the village of Herkimer, Herkimer county, New York." (Int. No. 959.)

"An act to amend the highway law, relating to the towns in county of Oneida." (Int. No. 1026.)

Mr. Gerst, from the committee on canals, to which was referred the Senate bill introduced by Mr. Persons, Rec. No. 238, entitled "An act to facilitate State commerce by increasing the lockage capacity of the Erie and by improving the Erie, Oswego, Black river, Seneca, Cayuga and Champlain and the Seneca lake level of the Chemung canal, and making appropriations therefor," reported in favor of the passage of the following substitute therefor:

AN ACT to facilitate State commerce by increasing the lockage capacity of the Erie canal and by improving the Erie, Oswego, Black river, Seneca, Cayuga and Champlain, and the Seneca lake level of the Chemung canal and making appropriations therefor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The State Engineer and Surveyor and the Superintendent of Public Works are hereby authorized and directed, on or before the opening of navigation in the year 1895, to cause to be lengthened one tier of lock No. 20 on the Erie canal. Said lock to be so lengthened as to be 220 feet long and not less than 18 feet wide in the clear, and shall include such machinery and appliances as shall render the locks most efficient. They are

also authorized and directed, before the opening of navigation in the year 1895, to improve the Erie canal by deepening it at such places as the said Superintendent of Public Works and the State Engineer and Surveyor may determine to be for the best interests of said canal; but where such improvement is made it shall, at that point, secure a standard depth of at least nine feet of water, and the said work shall be prosecuted in such manner as will eventually secure a standard depth of nine feet of water throughout the entire length of said canal, except over and across aqueducts and other permanent structures, where the depth of water shall be at least eight feet; the required depth of water to be obtained either by excavation or by raising the banks of the canal, or both, as shall be determined by the State Engineer and Surveyor. Also to continue the deepening of the Champlain canal to a depth not less than six feet of water between such points as they shall deem most important; also to make such improvements on the Oswego canal as will most facilitate its commerce and protect its integrity; also to make the necessary improvements on the Seneca, Cayuga and Black River canal; also to improve the Seneca Lake level of the Chemung canal.

§ 2. The furnishing of all materials for and the performance of the work of lock lengthening provided for in this act, shall be by contract entered into and duly executed by and between the Superintendent of Public Works and the contractor or contractors furnishing and performing the same. The performance of all other work provided for in this act shall be by contract, except such portions thereof as, in the judgment of the Superintendent of Public Works and the State Engineer and Surveyor, can not be so done to the best interests of the State.

§ 3. All contracts shall be given to the lowest bona fide bidder or bidders giving ample security for the performance of the work in all respects according to each contract. The Superintendent of Public Works and the State Engineer and Surveyor shall select for publishing the notices of letting herein defined in such daily, weekly papers or both, as in their judgment shall give due publicity of the letting of said contracts. The notices of letting shall be signed by the Superintendent of Public Works and published as aforesaid, and shall state the work to be done, the quantity, quality and kind of material to be used and the length of time allowed for the completion of the work, the amount of security required and the conditions of the bonds to be furnished for the faithful performance of the contracts. Separate plans and specifications shall be prepared by the State Engineer and Surveyor of the proposed improvements, and the contracts for each of said improvements shall be advertised for and let separately to the lowest bidder or bidders giving the security hereinbefore mentioned. The Superintendent of Public Works may at any time after receiving bids for said work, or

any part thereof, and before entering into contract therefor, cancel any bid or all bids so received, and readvertise as hereinbefore provided for new bids, if, in his judgment, the public interests require him to do so. All contracts shall reserve the right to the said Superintendent of Public Works and the Canal Board to declare the same forfeited whenever, in their judgment, the work thereunder is not being performed in good faith in the interest of the State.

§ 4. The several sums hereinafter named are hereby appropriated out of the moneys in the treasury, not otherwise appropriated, to be paid by the Treasurer on the warrant of the Comptroller, to the order of the Superintendent of Public Works: for lengthening lock number twenty on the Erie canal, \$40,000, or so much thereof as may be necessary; for deepening the Erie canal to a standard depth of nine feet of water, as herein provided, \$100,000; for improvements on the Oswego canal, \$20,000; for deepening the Champlain canal to six feet of water, as herein provided, \$56,000; for improving the Cayuga and Seneca canal, by rebuilding all or a portion of the wall between the Cayuga and Seneca canal and the Sackett and Bascom race, on the level next below lock number three, and excavating and concreting, if necessary, the bottom of the canal on said level, in the village of Seneca Falls, N. Y., \$15,000, or so much thereof as may be necessary; the balance, if any, to be used in excavating and improving the channel of Seneca river at Waterloo, N. Y., known as the South Waterloo channel of the Cayuga and Seneca canal; for completing the improvement of the Seneca lake level of the Chemung canal, \$4,000, or as much thereof as may be necessary; for improving the Black River canal, \$55,000, or so much thereof as may be necessary; provided, that such portions of any of the money herein appropriated for lengthening locks upon the Erie canal, for improving the Seneca and Cayuga canal, for completing the improvement of the Seneca lake level of the Chemung canal and for improving the Black River canal which shall be in excess of the sums required for such purposes shall be applied by the State Engineer and Surveyor and the Superintendent of Public Works to the deepening of the Erie canal in addition to the sum herein specifically appropriated for that purpose.

§ 5. The Comptroller is hereby authorized to borrow, from time to time, such sums as the Superintendent of Public Works may require, not exceeding \$100,000 in the aggregate, and the money borrowed he shall refund from moneys received from taxes levied to meet this appropriation.

§ 6. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 7. This act shall take effect immediately.

PHILIP GERST,

Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of second reading.

Mr. Wyckoff, from the committee on agriculture, to which was referred the bill introduced by Mr. Higbie, Int. No. 1338, entitled "An act to repeal chapter 526 of the Laws of 1869, entitled 'An act to establish a uniform width of tracks for vehicles using the public highways in the town of East Hampton and South Hampton, Suffolk county,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Wyckoff, from the committee on agriculture, to which was referred the Senate bill introduced by Mr. Persons, Rec. No. 283, entitled "An act to amend the agricultural law, and the Penal Code, relative to violations of the same," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1285, entitled "An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Donaldson, Rec. No. 275, entitled "An act in relation to mines," reported in favor of the passage of the same, with the following amendments:

Section 1, line 8, insert after the word "minerals" the words "except garnets."

Section 2, line 13, insert after the word "minerals" the words "except garnets."

U. S. MESSITER,
Chairman.

Which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 255, entitled "An act to amend section 258 of the Code of Civil Procedure, relative to the stenographers of the Supreme Court," reported in favor of the passage of the same, without amend-

ment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 239, entitled "An act to amend section 1380 of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Saxton, Rec. No. 188, entitled "An act to amend sections 1042 and 1176 of the Code of Civil Procedure, in relation to drawing and challenging jurors," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Donaldson, Rec. No. 151, entitled "An act to amend section 3347 of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Donaldson, Rec. No. 152, entitled "An act to amend section 2995 of the Code of Civil Procedure," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 240, entitled "An act to amend title 5 of chapter 18 of the Code of Civil Procedure in relation to, and to provide for, disposition of decedent's real property for the payment of debts, funeral expenses and certain liens thereon," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 179, entitled "An act to amend section 699 of the Penal Code, in relation to criminal charges against children," reported in favor of the passage of the same with the following amendments:

Page 2, line 1, after the word "crime" insert the words "other than a capital crime."

Same page, line 3, after the word "shall" insert the words "in the discretion of the court."

W. C. PRESCOTT,

Chairman.

Which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Gleason, Int. No. 1257, entitled "An act to regulate the compelling of the attendance and testimony of witnesses, amending section 867 of the Code of Civil Procedure," reported in favor of the passage of the same, with the following amendments:

Page 1, line 5, insert the words "subpoena must be served at least two days before the day when he is required to attend."

Page 2, line 1, strike out the word "protection" and insert the word "production."

Same page, section 2, strike out the word "immediately" and insert the words "September 1, 1894."

W. C. PRESCOTT,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter 371 of the Laws of 1893, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts, and to create a police fund, and define the jurisdiction, power and duties of the police justice and policemen of said village.'" (No. 410, Rec. No. 346.)

On motion of Mr. Kelsey, said bill was substituted for Assembly bill No. 1596, Int. No. 643, same title and subject, now on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Chambers, Int. No. 1360, entitled "An act to amend section 2869 of the Code of Civil Procedure, relating to jurisdiction of justices of the peace," reported in favor of the passage of the same, with the following amendments:

Line 7, strike out the word "county" and insert the word "counties," and after the word "Rensselaer" insert the words "Albany or Fulton."

Section 2, line 8, strike out the word "immediately" and insert the words "September 1, 1894."

W. C. PRESCOTT,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Taylor, Int. No. 1408, entitled "An act to amend section 1338 of the Code of Civil Procedure, relative to appeals," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Baker, from the committee on State prisons, to which was referred the bill introduced by Mr. Wilcox, Int. No. 1394, entitled 'An act to amend section 65 of title 2, chapter 3, part 4 of the Revised Statutes, relating to State prisons with respect to assistant clerk to take affidavits," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Schoepflin, Int. No. 1401, entitled "An act to amend chapter 238 of the Laws of 1890, relating to commitments to the Western House of Refuge for Women," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Van Amber, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Messiter, Int. No. 275, entitled "An act amend an act entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Van Amber, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Messiter, Int. No. 1097, entitled "An act for the preservation of wild deer in the

county of Sullivan," reported in favor of the passage of the same with the following amendments:

Section 1, line 4, strike out the word "December" and insert the word "November"; also, in line 7, strike out the word "December" and insert the word "November."

M. W. VAN AMBER,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Matthews, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Ainsworth (Int. No. 176), entitled "An act to regulate assessments and to provide for home rule in taxation," reported the same without recommendation, which report was agreed to, and said bill placed on the order of second reading.

On motion the privileges of the floor were granted to Hon. Henry E. Howland, of New York.

On motion of Mr. Ainsworth, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

Mr. Sulzer moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Baker	Finnigan	Howe	Matthews	Schoepflin
Berry	Fuller	Keleher	McDermott	Schulz, F.F.
Braun	Gardiner	Kelsey	McKeon	Sherwood
Cassin	Gerst	Kerr	McNamee	Smith, M.F.
Conklin	Gleason	Kern	Messiter	Stadtfeld
Corrigan	Glenn	Kerrigan	Myers	Stein
Denniston	Gould	Kneeland	Plant	Sulzer
Dinkelspiel	Harrigan	Lawson	Prescott	Thompson
Douglas	Herrman	Lee	Robinson	Trainor
Dowling	Horton	Lounsbury	Ryder, E.L.	Wilcox
Fairbrother	Houghton	Marrin	Scanlon	Speaker 55

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with

Messrs. Ainsworth, Vacheron, Wyckoff, Butts, Tilton, C. W. Terry, Chambers, Roche, Dean, Porter, J. J. Rider and S. W. Smith, each of whom, upon giving satisfactory explanation for having been absent, was excused.

Mr. Sulzer moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill (No. 847), entitled "An act to incorporate the Provident Loan Society of New York" (Int. No. 782), with a message that they have appointed a committee of conference thereon consisting of Messrs. Saxton, Childs and Wolf, and request the appointment of a like committee on the part of the Assembly.

Mr. Ainsworth moved that Assembly consent to a committee of conference.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee on the part of the House, Messrs. Sheffield, Ainsworth, Cutler, Sulzer and Foley.

Ordered, that the clerk return said bill to the Senate with a message that the Assembly have appointed a committee of conference thereon.

The bill (No. 1085) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' passed July 1, 1882, and the acts amendatory thereof, relating to the judgment of the court of special sessions in certain cases made final" (Int. No. 975), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Messiter	Smith, M.F.
Babcock	Fairbrother	Howe	Mittnacht	Smith, S.W.
Baker	Finnigan	Hoysradt	Plant	Stadtfeld

Braun	Foley	Keleher	Porter	Stein
Bush	Friday	Kelsey	Prescott	Stone
Butts	Fuller	Kerr	Rider, J.J.	Terry, C.W.
Cassin	Gardiner	Kern	Robertson	Thompson
Chambers	Gerst	Kerrigan	Robinson	Tilton
Chapman	Gleason	Kneeland	Roche	Vacheron
Clark, F.E.	Glenn	Lawson	Scanlon	Van Amber
Conklin	Gould	Lee	Schillinger	Vehslage
Corrigan	Harrigan	Lounsbury	Schoepflin	Wieman
Cutler	Herrman	Matthews	Schulz, F.F.	Wilcox
Denniston	Hoefler	McDermott	Schulz, H	Wyckoff
Dinkelspiel	Horton	McKeon	Sherwood	Speaker
Douglas	Hotaling	Melody		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1022) entitled "An act to amend chapter 300 of the Laws of 1875, entitled 'An act providing that the bridge in course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company and the completion and management of said bridge by said cities,' relating to the compensation of policemen" (Int. No. 938), having been announced for a third reading,

On motion of Mr. Taylor, said bill was laid aside.

The bill (No. 976) entitled "An act to regulate fares for passengers on the ferry boats plying on the East river between Broadway, in the city of Brooklyn, and Roosevelt street, in the city of New York, and operated by the Brooklyn and New York Ferry Company" (Int. No. 887), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	O'Donnell	Stadtfeld
Baker	Douglas	Kelsey	Plant	Stein
Berry	Dowling	Kerr	Porter	Sulzer
Braun	Eldredge	Kern	Prescott	Terry, C.W.
Bush	Fairbrother	Kneeland	Robinson	Thompson

Butts	Finnigan	Lawson	Scanlon	Tilton
Cassin	Friday	Lee	Schillinger	Tobin
Chambers	Fuller	Lounsbury	Schoepfin	Tuttle
Chapman	Gardiner	Marrin	Schulz, F.F.	Van Amber
Clark, F.E.	Gleason	McDermott	Schulz, H	Vehslage
Conklin	Gould	McKeon	Sherwood	Wieman
Corrigan	Herrman	Messiter	Smith, M.F.	Wilcox
Dean	Horton	Mittnacht	Smith, S.W.	Wyckoff
Denniston	Houghton	Myers	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 1468) entitled "An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1253) with a message that they have concurred in the passage of the same, amended so as to read as follows:

AN ACT making appropriation for certain expenses of government, and supplying deficiencies in former appropriations.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The treasurer shall pay, on the warrant of the comptroller, from the several funds specified, to the persons and for the objects indicated in this act, the amounts named or such parts of those amounts as shall be sufficient to accomplish, in full, the purposes designated by the appropriations; but no warrant shall be issued, except in cases of salaries, until the amounts claimed shall have been audited and allowed by the comptroller, who is hereby authorized to determine the same. The persons demanding payment shall present to him a detailed statement, in items, verified by affidavit; and if the account shall be for services it must show when, where and under what authority they were rendered; if for expenditures, when, where and under what authority they were made; if for articles furnished, when and where they were furnished, to whom they were delivered and under what authority; and if the demand be for traveling expenses, the account must also specify the distance traveled, the places of starting and destination the duty or business and the date and items of expenditure. On all accounts for transportation, furniture, blank and other books furnished for the use of officers, binding, blanks, printing, stationery and postage, a bill duly certified must be furnished; but whenever an appropriation shall have been provided, otherwise, the sum herein directed to be paid shall have been provided, otherwise, the sum herein

directed to be paid shall not be considered as an addition to such other appropriation, unless it shall be expressly so declared in this act.

General Fund.

For the clergymen officiating as chaplain of the assembly, during the session of eighteen hundred and ninety-four, for compensation, to be paid to the clerk of the assembly for distribution by him to those clergymen, at the rate of five dollars a day for every day of attendance, five hundred dollars.

For the clergymen officiating as chaplain of the senate during the session of eighteen hundred and ninety-four, for compensation, to be paid to the clerk of the senate, for distribution by him to those clergymen, at the rate of five dollars a day for every day of attendance, five hundred dollars.

For the removal of crippled, blind, lunatic, idiotic and other infirm alien paupers, pursuant to chapter five hundred and forty-nine of the laws of eighteen hundred and eighty, the sum of five thousand dollars, or so much thereof as may be necessary.

The sum of ninety-four dollars and sixty-four cents of the unexpended balance of the appropriation of one thousand dollars by chapter three hundred and two of the laws of eighteen hundred and ninety-one, made in pursuance of chapter four hundred and fifty-one of the laws of eighteen hundred and eighty-eight, for the payment of the cost and expenses for the removal of insane Indians to, and their maintenance in any of the state hospitals, is hereby reappropriated for the same purpose.

DEPARTMENTS.

For the Comptroller.

For fees of surrogates in furnishing to the secretary of state copies of letters of administration, copies of wills, probated in other states and subsequently filed in this state, as provided by section twenty-five hundred and three of the code of civil procedure, two hundred dollars, or so much thereof as may be necessary.

For the comptroller, two thousand five hundred dollars, for salary of experts to be appointed by him to examine the books of the incorporated racing associations of the state and to make such investigations as may be necessary to ascertain the amount of the tax payable by such associations; and seven hundred dollars, or so much thereof as may be necessary, for traveling and other expenses of the said experts, the amounts herein provided for are to be paid from the funds collected from the associations.

For the comptroller, to pay assessments for local improvements on property owned by the state, ten thousand dollars, or

so much thereof as may be necessary, and all fees, interest and expenses of sale or collection incurred by local authority, officer or agent, in making an assessment, levy or collection of sale upon or of state property, or property held in trust for the state, for streets or other municipal improvements in any municipal corporation of the state, shall be rejected by the comptroller.

For the payment to the widow and heirs-at-law of the late John G. Wasson, of the interest at six per centum per annum to April first, eighteen hundred and ninety-five, upon a certificate filed under chapter eight hundred and thirty of the laws of eighteen hundred and sixty-eight, the sum of six hundred dollars.

For deficiency in appropriations for the maintenance of convicts sentenced to penitentiaries, in pursuance of chapter one hundred and fifty-eight of the laws of eighteen hundred and fifty-six, chapter five hundred and eighty-four of the laws of eighteen hundred and sixty-five, chapter six hundred and sixty-seven of the laws of eighteen hundred and sixty-six, chapter five hundred and seventy-four of the laws of eighteen hundred and sixty-nine, chapter two hundred and forty-seven of the laws of eighteen hundred and seventy-four, chapter five hundred and seventy-one of the laws of eighteen hundred and seventy-five, chapter four hundred and ninety of the laws of eighteen hundred and eighty-five, chapter one hundred and fifteen of the laws of eighteen hundred and ninety-one, and chapter five hundred and eighty-seven of the laws of eighteen hundred and ninety-two, thirty-eight thousand dollars, or so much thereof as may be necessary.

For the comptroller for the payment of compensation and expenses of counsel employed by the comptroller in legal actions or proceedings, five thousand dollars, or so much thereof as may be necessary.

For compensation of justices of the supreme court whose terms of office having been abridged pursuant to section thirteen, article six of the constitution, and who have served as such ten years, thirty-six thousand dollars.

For Joseph F. Barnard, late a justice of the supreme court in the second judicial district, not residing in the county of Kings, whose time of office was abridged under the provisions of section thirteen of article six of the constitution, and who served as such justice for ten years, for additional compensation, pursuant to chapter seven hundred and sixty-five of the laws of eighteen hundred and sixty-eight, as amended by chapter one hundred and fourteen of the laws of eighteen hundred and ninety-four, the sum of twenty-five hundred dollars, to be paid only from moneys which shall have been or should be paid into the treas-

ury for taxes levied for the purposes of said acts and in pursuance thereof.

For the comptroller, one thousand dollars, and for the deputy comptroller, seven hundred and fifty dollars, in full of all expenses and disbursements incurred by them respectively in attendance and conducting examinations and investigations for the purposes of taxation under the corporation and inheritance tax laws and of all expenses and disbursements incurred by them respectively in the visitations of the prisons, reformatories and other public institutions of the state, whose accounts are audited by the comptroller, and for all other expenses and disbursements incurred by them respectively while in the discharge of their official duties.

For the comptroller, for the repayment of moneys illegally assessed, and by manufacturing and other corporations paid into the treasury under the provisions of chapter five hundred and forty-two of the laws of eighteen hundred and eighty, and the acts amendatory thereof, the sum of five thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriations for stationery for the public offices, for the fiscal year ending September thirtieth, eighteen hundred and ninety-four, two thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriation for advances to county treasurers, on account of taxes on property of non-residents, which may be returned to the comptroller's office, and for adjusting accounts of state taxes with counties, twenty-five thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriations for assessments and other expenses of the public lands, and for mileage and expenses of the speaker of the assembly for attendance as commissioner of the land office, fifteen hundred dollars, or so much thereof as may be necessary.

For the comptroller, for deficiency in appropriations for furniture, books, binding, printing and other necessary expenses of his office, two thousand dollars.

For the comptroller, the sum of seven thousand dollars, or so much thereof as may be necessary, to defray the expenses of making an examination of the accounts of the several county treasurers of the state, as required by chapter six hundred and fifty-one of the laws of eighteen hundred and ninety-two, and for the expenses and disbursements incurred by him in the supervision and administration of funds paid into court as may be necessary and required by said act.

For the comptroller, for the compensation of clerks employed by him in the collection of corporation and inheritance taxes, and

for expenses incurred therefor, and for the expenses of examinations and investigations for the purposes of taxation, under chapter four hundred and nine of the laws of eighteen hundred and eighty-two, and the acts amendatory thereof; chapter five hundred and forty-two of the laws of eighteen hundred and eighty, and the acts amendatory thereof; and chapter three hundred and ninety-nine of the laws of eighteen hundred and ninety-two, and acts amendatory thereof, the sum of twenty-five thousand dollars, or so much thereof as may be necessary.

For the expenses of examinations and investigation of public institutions, made pursuant to law, and for expenses of comptroller in devising a uniform system of keeping and rendering of accounts of such institutions, the sum of eight thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers audited by the comptroller.

For the comptroller, for deficiency in appropriations to pay the expenses of serving notice on occupants or despoilers of land now owned by the state or bid in therefor at the comptroller's tax sales; of protecting the state's title to such lands by discharging them from the taxes due thereon, or bidding them in at, or redeeming them from, county treasurers' tax sales; of preparing and recording deeds and certificates protecting the state's title to such lands; of definitely locating, appraising and examining them as may be required; of protecting them from trespassers or despoilers, and prosecuting all such offenders, and generally of guarding, preserving the value of, and protecting such lands, ten thousand dollars, or so much thereof as may be necessary.

For the comptroller, for the payment of clerical and other services and expenses relating to licenses to common carriers, pursuant to section thirty of chapter four hundred and one, laws of eighteen hundred and ninety-two, twenty-five hundred dollars, or so much thereof as may be necessary.

For the comptroller, for compensation of employes, and for expenses in enforcing the provisions of the general appropriation act of eighteen hundred and ninety-four, providing for the monthly estimate of expenditures, and the rendering of accounts of state charitable and reformatory institutions other than the state prisons, state hospitals for the insane, the Oneida state custodial asylum, the sum of fifteen thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriation for expenses of transportation of the session laws, journals and documents of the legislature, reports, books and packages, by express or freight, for public officers, and for boxes therefor, two thousand dollars, or so much thereof as may be necessary.

For advances by the comptroller to the clerks of the senate and

assembly, for additional contingent expenses, eight thousand eight hundred dollars.

For advances by the comptroller to the clerk of the assembly, to pay the expenses of receiving reports and printed documents from the several state departments, addressing and forwarding same to senators and members of assembly, in pursuance of chapter six hundred and thirty-four of the laws of eighteen hundred and ninety-three, two thousand five hundred dollars, or so much thereof as may be necessary.

For deficiency in appropriations for postage, expenses of committees, compensation of witnesses, legislative manual, Croswell's manual, indexing the bills, journals and documents of the senate and assembly, and other contingent expenses of the legislature, twenty thousand five hundred dollars, or so much thereof as may be necessary.

Secretary of State.

For the secretary of state, for deficiency in appropriations for clerical hire for the fiscal year ending September thirtieth, eighteen hundred and ninety-four, the sum of two thousand six hundred and twenty-five dollars, or so much thereof as may be necessary.

For printing and binding the registry books for eighteen hundred and ninety-four, under the direction of the secretary of state, as provided by section forty of chapter six hundred and eighty of the laws of eighteen hundred and ninety-two, the sum of thirty-five hundred dollars.

Attorney-General.

For the attorney-general, the sum of six thousand dollars, or so much thereof as may be necessary, to pay counsel employed by him in pursuance of law.

Commissioner of Agriculture.

For the commissioner of agriculture, for the continuance and extension of the work of his department, pursuant to chapter three hundred and thirty-eight of the laws of eighteen hundred and ninety-three, to the close of the current fiscal year, the sum of eight thousand dollars.

For the state weather bureau, to be expended under the direction of the commissioner of agriculture, the sum of four thousand five hundred dollars, or so much thereof as may be necessary, for the prosecution of its work to the close of the next fiscal year, pursuant to the provisions of the agricultural law.

State Engineer.

For the state engineer and surveyor, for repairs and necessary expenses in rearranging the records and papers of his office, two

thousand two hundred dollars, or so much thereof as may be necessary.

For the state engineer and surveyor, for surveys and maps for the use of the attorney-general in cases before the board of claims arising on account of the canals of the state, seven thousand dollars, or so much thereof as may be necessary.

For the state engineer and surveyor, for restoring and placing monuments on the boundary lines of the state, pursuant to chapter four hundred and twenty-one of the laws of eighteen hundred and eighty-seven, and for traveling expenses incurred in making examinations and maps required by his department, six thousand dollars, or so much thereof as may be necessary.

For restoring and protecting the approaches to the swing-bridge over the Shinnecock and Peconic canal, to be expended under the direction of the state engineer and surveyor and superintendent of public works, the sum of three thousand five hundred dollars, or so much thereof as may be necessary.

Insurance Department.

For the examination of insurance companies by direction of the superintendent of insurance, to be used in his discretion, and to be collected from and refunded to the treasury by the companies so examined as provided by law, ten thousand dollars, or so much thereof as may be necessary.

For payment of the expense of the actuarial work imposed upon the superintendent of insurance by chapter three hundred and ninety-nine of the laws of eighteen hundred and ninety-two, two thousand dollars, or so much thereof as may be necessary, to be refunded to the treasury as provided by law.

For the superintendent of insurance, to enable him to carry into effect the provisions of section eighty-four of chapter six hundred and ninety of the laws of eighteen hundred and ninety-two, known as the insurance law; for expense of computation, compilation and publication of new valuation tables, for valuation and other incidental expenses connected therewith, rendered necessary by said section, eight thousand dollars, or so much thereof as may be necessary, payable out of the surplus in the treasury arising from the taxes, license fees and other moneys collected from the insurance companies, agents and other persons and paid into the treasury, over and above the appropriations for maintaining said department.

For the expenses and disbursements of the first deputy superintendent of insurance, while in discharge of his duties, two thousand three hundred dollars, payable monthly, to be refunded to treasurer as provided by law.

Railroad Commissioners.

For the board of railroad commissioners, the sum of five thousand dollars, heretofore appropriated by chapter three hundred and fifty-six of the laws of eighteen hundred and ninety-two, for establishing and maintaining branch offices in the cities of New York and Buffalo, and which has been paid into the state treasury by the several railroad corporations of this state, is hereby reappropriated for salaries and expenses of said board.

For the board of railroad commissioners for an inspector of bridges, the sum of three thousand dollars, this amount to be paid by the comptroller upon the requisition of the board of railroad commissioners, and to be refunded to the treasury by the several corporations owning or operating railways in this state, in such manner and proportion as is prescribed by law.

For the commissioners of the state reservation at Niagara, for grading, planting and for other improvements on the reservation, the sum of twenty thousand dollars, and the state engineer and surveyor is hereby directed to make such surveys and maps of the territory within the reservation as may be required by said commissioners.

Board of Health.

For the state board of health, for extraordinary expenses incurred for protection against cholera, the sum of six thousand dollars, to be paid upon the audit of the comptroller.

Adjutant-General.

For repairs, improvements and betterments of the state arsenal, armories, rifle ranges and state camp, the sum of twenty thousand dollars.

For the adjutant-general, for painting, repairs and betterments of the state armory, at Oswego, the sum of two thousand two hundred dollars.

For the adjutant-general, for the payment of pensions of members of the national guard, pursuant to section one hundred and twenty-nine of chapter five hundred and fifty-nine of the laws of eighteen hundred and ninety-three, and the acts amendatory thereof, and for payment of expenses and examination of claims for pensions under said acts, fifteen hundred dollars, or so much thereof as may be necessary.

For the adjutant-general, for fees of counsel employed, and necessary expenses in prosecuting the suit of the state of New York against the United States, the petition of which was filed February seventh, eighteen hundred and eighty-nine, to recover the sum of one hundred and thirty-one thousand dollars, and now pending in the supreme court of the United States, the sum of

one thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers approved by the adjutant-general and the governor.

For the adjutant-general, for services and necessary traveling expenses in prosecuting the war claims of the state against the United States, under his direction, five thousand dollars, or so much thereof as may be necessary, to be approved by the governor as commander-in-chief.

State Prisons.

For the superintendent of state prisons, for purchasing, constructing, keeping in repair and operating the necessary apparatus for the execution of convicted criminals, for the incidental expenses of such executions, and for guarding in prison criminals sentenced to be executed, as provided by chapter four hundred and eighty-nine of the laws of eighteen hundred and eighty-eight, the sum of twelve thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriations for the support and maintenance of the several state prisons, pursuant to chapter three hundred and eighty-two of the laws of eighteen hundred and eighty-nine, and for the ordinary repairs of the prisons and supplying water therefor, the sum of fifty thousand dollars, or so much thereof as may be necessary.

For providing current literature for the several state prisons, the sum of two thousand dollars, to be expended under the direction of the superintendent of state prisons.

With the consent and approval of the superintendent of state prisons the agent and warden of Auburn prison is hereby authorized to expend out of moneys received by him "as the proceeds of the labor of prisoners and the sales of articles manufactured by them," and on deposit at banks at Auburn, the sum of fifteen thousand dollars in repairing and rebuilding the buildings damaged and destroyed by fire in March, eighteen hundred and ninety-three.

With the consent and approval of the superintendent of state prisons, the agent and warden of Auburn prison, is hereby authorized to expend out of moneys received by him "as the proceeds of the labor of prisoners and the sales of articles manufactured by them," and on deposit at banks at Auburn, the sum of ten thousand dollars, in completing the storehouse now partially built under a former appropriation.

For the superintendent of state prisons for tools, team work and equipment necessary for carrying out the provisions of chapter two hundred and sixty-six of the laws of eighteen hundred and ninety-four, the sum of fifteen thousand dollars, or so much thereof as may be necessary.

For the society for the reformation of juvenile delinquents in the city of New York, for three new boilers, six thousand dollars; for two pumps, one thousand dollars; for smoke chimney, three thousand five hundred dollars; for boiler-house, five thousand dollars; and for dock, two thousand dollars; or so much thereof as may be necessary, payable upon vouchers to be approved by the comptroller.

For two thousand feet of stone curbing, two thousand feet of gutter stone and eight thousand feet of stone for sidewalk to be laid on the state grounds at Sing Sing prison, expenses of teams for hauling, and tools necessary for laying the same, four thousand four hundred dollars; or so much thereof as may be necessary, to be expended under the direction of the superintendent of state prisons.

Asylums and Hospitals.

For the Hudson river state hospital, to be expended under the direction of the local board of managers, for renewals and repairs five thousand dollars; for furniture, twenty-five hundred dollars; for repairs to steam plant, ten thousand dollars; for new grate bars in boilers, fifteen hundred dollars; for two new hot water boilers, fourteen hundred dollars; for fitting up bath-rooms with spray baths, twelve hundred dollars; for steel ceilings, fifteen hundred dollars; for steam plant at men's boiler-house, one thousand dollars; for sun-ray heaters at cottages, five hundred dollars; for sewerage system for cottages, twenty thousand dollars; for cleaning lake at cottages, two thousand dollars; for fire protection for various buildings, twenty-five hundred dollars; for scenery and furniture for amusement hall, fifteen hundred dollars; for repairs to pumping station, one thousand dollars; for roads and walks, two thousand dollars; for library and musical instruments, one thousand dollars; for electric light plant at said hospital, fifteen thousand six hundred dollars; for new locks on principal doors of main building, three hundred dollars; for rental of land, which accrued prior to October first, eighteen hundred and ninety-three, three hundred and seventy-five dollars.

To the Hudson river state hospital, for compensation to George W. Hill, an employe of such hospital, for damages, costs and expenses incurred by said Hill in an action brought in the county court of Dutchess county by Marie Anspach against said George W. Hill for an illegal arrest and detention of the plaintiff while said Hill was in the performance of his duties, the sum of two hundred and fifty dollars, or so much thereof as may be necessary.

For the Middletown state homeopathic hospital, to be expended

under the direction of the local board of managers, for additional fire sprinklers, four thousand dollars; for additional electric lighting to complete plant, two thousand seven hundred and thirty dollars; for furniture for two houses for nurses, two thousand dollars; for steam and return mains, two thousand dollars; for repairs to heating apparatus, two thousand dollars; for water pipes and fire hydrants, twenty-five hundred dollars; for telephone exchange in all buildings, one thousand dollars; for window guards for new sun-rooms, three hundred and twenty-nine dollars and fifty-four cents.

For the Willard state hospital, to be expended under the direction of the local board of managers, for cleaning and repairing reservoirs, four thousand dollars; for repairs to foundation walls of buildings numbers two and four, thirty-four hundred dollars; for repairs of inside walls, plastering, painting, etc., three thousand dollars; for steam pipe covering, two thousand dollars; for outside shoe-rooms, one thousand dollars; for hot-water heater and steam coils in laundry, thirteen hundred dollars; for steel ceilings, one thousand dollars; for repairing damaged roofs and walls of storm-doors at branch, one thousand dollars; for farm fences, nine hundred dollars; for tiled floors for building number three, seven hundred dollars; for water closets and lavatory for administration building, five hundred dollars; for repairs to barns, five hundred dollars; for porticos, four hundred dollars; for hospital ward, one hundred dollars; for heating, lighting and plumbing of the chapel and old assembly hall, one thousand dollars; for electric-light fixtures for Hadley hall for the stage and for two electric-light chandeliers, five hundred dollars; for furniture, fifteen hundred dollars.

For the employment of clergymen at the Willard state hospital, the sum of one thousand dollars is hereby appropriated, to be spent under the direction of the board of trustees.

For the Rochester state hospital, to be expended under the direction of the local board of managers, for reconstruction and equipment of departments destroyed by fire in February, eighteen hundred and ninety-four, consisting of kitchen, bakery, store-rooms, electric-light plant, dining-rooms, two flights of stairs and connecting corridor, laundry, chapel, boiler-room, shops, steam connections, water supply and fire-escapes, on plans and specifications to be approved by the state commission in lunacy, sixty-five thousand dollars.

For the Saint Lawrence state hospital, to be expended under the direction of the local board of managers, for one additional steam-boiler, twenty-five hundred dollars; for piping and motors for laundry building and conduits to laundry, nine thousand one hundred and thirty-five dollars; for vegetable and root cellar, four

thousand dollars; for propagating house, three thousand one hundred and fifty dollars; for finishing cottage for convalescents, west, including steam heating, plumbing and electric wiring, forty-four thousand one hundred and sixty-eight dollars, or so much thereof as may be necessary, and for finishing two cottages for disturbed patients, including steam heating, plumbing and electric wiring, twenty-four thousand seven hundred and forty dollars, or so much thereof as may be necessary. For erecting and enclosing a building, to accommodate one hundred employes for the purpose of bringing the total capacity of the hospital up to the accommodation of thirteen hundred patients, forty-six thousand four hundred and fifty dollars, or so much thereof as may be necessary; and for enlarging and furnishing dining-room, extension observation cottage east and dining-room extension observation cottage west, thirteen thousand six hundred dollars; on plans and specifications to be approved by the state commission in lunacy; for cold storage apparatus, four thousand dollars, or so much thereof as may be necessary; and for grading the grounds, building and construction of roads, highways and fences, twenty thousand dollars, or so much thereof as may be necessary.

For the Binghamton state hospital, to be expended under the direction of the local board of managers, for extension of electric-light plant, eight thousand dollars; for cold storage buildings and apparatus, sixteen thousand dollars; for congregate dining-rooms, five thousand dollars; for steam-pipe covering, two thousand dollars; for painting, one thousand dollars; for musical instruments, pianos and music, one thousand dollars; for telephone service to connect various buildings with the medical office, one thousand dollars; for spray bathing apparatus, one thousand dollars; for renewals and repairs, three thousand dollars.

To protect the grounds on which the boiler-house and pumping station at said Binghamton hospital are situated, from encroachments of the river, the sum of two thousand four hundred dollars; and for the erection of a coal trestle adjacent to the boiler-house and pumping station, the sum of four thousand three hundred dollars; for setting out trees and shrubs on the grounds, and improving the same, the sum of five hundred dollars.

For the Buffalo state hospital, to be expended under the direction of the local board of managers, for the completion of the westerly wing of said state hospital, for the accommodation of two hundred and fifty additional patients, and to complete said hospital in accordance with the original plans approved by the state officers designated in the original act; for the construction of additional water-closets and connection and relaying closet floors, and for changing steam-pipes

in tunnel and for piping boiler and steam condenser and for new floor in engine-room, the sum of three hundred and fifty thousand one hundred and fifty dollars, or so much thereof as may be necessary; no part of this appropriation which may be required for the completion of the westerly wing shall be expended except for procuring plans and specifications approved or to be approved by the state commission in lunacy, until a contract or contracts shall have been entered into by the lowest responsible bidder or bidders, after suitable advertisement, for the completion of the work contemplated and the purchase of material therefor within the limits of this appropriation, and the contract shall provide that not more than one hundred and eighty thousand dollars of the amount so required, shall be required to be paid thereon by the state within one year from the date of said contract.

For the Oncida state custodial asylum, to be expended under the direction of the local board of managers, for furniture for wards and administrative building, fourteen thousand dollars; for stock and farm utensils two thousand five hundred dollars; for plumbing, four thousand dollars; for electric-light plant, nine thousand dollars.

For the Matteawan state hospital, to be expended under the direction of the superintendent of state prisons, for piggeries, twelve hundred dollars; for telephones on wards, five hundred dollars; for repairs and grading, three thousand dollars; for farm fences and improvements, twelve hundred dollars; for electric wiring, switch-board and lighting roadway, six hundred and fifty dollars; for flooring in dynamo-room, in laundry, and outfitting carpenter's and machinist's shop, thirty-two hundred dollars; for water-closets, urinals, and supplying water for drinking purposes in interior courts, one thousand dollars; for sashes in cold-air boxes, closets, shelving, finishing floors, iron transom guards, window guards, additional work and superintendence, four thousand dollars; and for deficiency in maintenance, ten thousand dollars.

For the Middletown state homeopathic hospital, for general repair, five thousand dollars; for new ceilings in addition to those already put in, six thousand nine hundred and fifty-one dollars and seventy-nine cents; for two hot water boilers for nurses, cottages, one hundred and fifty dollars; for stills for distilling pure water, for medicine, one hundred and twelve dollars.

For compensation of officers and employes of the Western house of refuge for women, for the maintenance of the institution and transportation of convicts, ten thousand dollars.

The sum of two thousand one hundred and fifty-one dollars and fifty-eight cents, being the unexpended balance of appropriation

by chapter three hundred and fifty-six of the laws of eighteen hundred and ninety-two for boilers and coal-house for the Western house of refuge for women, is hereby reappropriated for the same purpose.

For deficiency in appropriation for transportation of the insane poor from their homes and from county poor-houses to state hospitals, including services of female attendants for female patients, pursuant to the provisions of chapter one hundred and twenty-six of the laws of eighteen hundred and ninety, for the fiscal year ending October first, eighteen hundred and ninety-three, three thousand dollars.

No money shall be expended for the erection of additional buildings of the state hospitals or repairs or improvements to the same except upon plans to be approved by the state commission in lunacy, nor shall an expenditure of moneys for any other purposes for said hospitals be made, except in conformity with the provisions of chapter two hundred and fourteen of the laws of eighteen hundred and ninety-three, and the acts amendatory thereof and supplementary thereto.

For the Syracuse state institution for feeble-minded children to be expended under the direction of the local board of managers, to replace the frame porch and corridor connecting the main building, rear extension, and north wing by an inclosed brick structure, and for an iron stairway therefrom to the boys' dormitory, four thousand seven hundred and fifty dollars; for excavation and lowering the foundation walls and grouting the cellars under the dining-room and bakery at the boys' building, eight hundred and twenty dollars; for providing and laying new floors and steel ceilings in various parts of the buildings, two thousand dollars; and for repainting the main building, north and south wings, one thousand dollars; for renewals of coverings to steam-pipes, six hundred dollars, or so much thereof as may be necessary.

Public Buildings.

For the superintendent of public buildings, for the care, lights, fuel, services of orderlies, porters, attendants and additional and unusual expenses of said superintendent, occasioned by the constitutional convention, and for deficiency in the appropriation for the care and maintenance of public buildings, the sum of twenty-five thousand dollars.

Miscellaneous.

For the board of commissioners created by chapter two hundred and seventy of the laws of eighteen hundred and eighty-eight, the following sums, or so much thereof as may be necessary:

For the care, maintenance and repair of the quarantine establishments twenty-five thousand dollars.

For woven-wire mattresses for iron bedsteads in new dormitory on Hoffman island, three thousand dollars.

For extraordinary repairs to buildings and other damages on Hoffman island, caused by storm, August, eighteen hundred and ninety-three, two thousand dollars.

For the construction of a pipe line for fresh water supply for Hoffman and Swinburne islands in the lower bay of New York, eight thousand dollars.

For the health officer of the port of New York for expense of maintenance and repairs on Fire island, and for the salaries of superintendent, watchmen and other employes, during the year eighteen hundred and ninety-three, five thousand dollars.

For the health officer of the port of New York, for expense of maintenance and repairs on Fire island, and for the salaries of superintendent, watchmen and other employes, during the year eighteen hundred and ninety-four, five thousand dollars.

The health officer of the port of New York is hereby authorized to lease for hotel purposes only, the property of the state known as Fire island, from year to year, with the right, however, in case of necessity, to terminate said lease and re-enter said property, said lease as to form and rental to be approved by the governor and attorney-general.

For John V. Berry, for work done for joint tax committee of eighteen hundred and ninety-two and eighteen hundred and ninety-three, the sum of nine hundred and sixty dollars.

For services and expenses of counsel, Owen Cassidy, employed in the matter of the investigation of the New York state board of health, the sum of three thousand dollars, or so much thereof as may be certified by the chairman of the senate investigating committee of the special committee appointed by the president pro tem of the senate, to be sufficient compensation for the services and expenses of said counsel.

For Catherine Lydig Brady, widow of the late John R. Brady, a justice of the supreme court for the first judicial district, who died March seventeenth, eighteen hundred and ninety-one, so much of the annual compensation of said judge for the year eighteen hundred and ninety-one, as would have been earned by him had he continued to live until the close of that year, the sum of four thousand seven hundred and twenty-five dollars and eighty cents.

For supplying the Deaf-Mutes' Journal to the indigent deaf and dumb in this state, the sum of six hundred and fifty dollars.

For Charles V. Schram, sergeant-at-arms of the senate, for expenses necessarily incurred by him in the attendance of the

committees of the senate and assembly at the funeral of the late Honorable George Z. Erwin, of Potsdam, New York, pursuant to a joint resolution of the senate and assembly, dated the sixteenth day of January, eighteen hundred and ninety-four, the sum of three hundred and thirty-three dollars and twenty-five cents.

For repairs and alterations to the ante-rooms and corridor of the senate chamber as may be directed by the finance committee of the senate, the sum of one thousand dollars, or so much thereof as may be necessary.

For Elon R. Brown, for services and expenses as counsel in the court of appeals of this state and the supreme court of the United States in the case of George W. Lawton and another against William N. Steele, said action being for the purpose of testing the constitutionality of the act authorizing fish and game protectors to destroy nets, et cetera, used in illegal fishing, sixteen hundred and twenty-five dollars, to be payable on the approval of the attorney-general.

For the purchase of three several lots of land adjoining the senate house property and fronting on Fair street in the city of Kingston, belonging, respectively, to the estate of Caleb M. Merritt, the estate of Angeline Reynolds and others, and for the improvements of the same, the sum of nine thousand eight hundred dollars, or so much thereof as may be necessary. But no part of said sum shall be expended until contracts for the purchase of said property are secured, nor until the attorney-general is satisfied that the title to be acquired by the state is good and sufficient for the purpose herein contemplated.

For the services and expenses of counsel employed in the matter of the investigation of the New York state reformatory at Elmira, by the state board of charities, the sum of three thousand dollars, or so much thereof as may be approved by the attorney-general, by the president of such board, and the chairman of the special committee of the board conducting such investigation, to be sufficient compensation for the services and expenses of such counsel.

For the board of Gettysburg monuments commissioners, to pay deficiencies for transportation to and from Gettysburg, Pennsylvania, on "New York day," July first, second and third, eighteen hundred and ninety-three, of the surviving New York veterans who were participants in the battle of Gettysburg, and other expenses incident thereto, twenty-seven thousand five hundred and thirty-four dollars.

For payment of the services of Kate E. Chamberlain, as stenographer to the committee of ways and means of the assembly and the finance committee of the senate, for the session of eighteen hundred and ninety-four, six hundred dollars.

For the town of Olean, in the county of Cattaraugus, for the purchase of session laws to replace those destroyed by fire in November, eighteen hundred and ninety-three, seventy-five dollars, to be expended under the direction of the secretary of state.

For the town of Woodbury, in the county of Orange, for the purchase of usual law books, including session laws, seventy-five dollars, to be expended under the direction of the secretary of state.

For the town of East Otto, in the county of Cattaraugus, for the purchase of session laws, to replace those destroyed by fire in August, eighteen hundred and ninety-three, seventy-five dollars, to be expended under the direction of the secretary of state.

For the purchase of session laws for the town of Gouverneur, Saint Lawrence county, one hundred and fifty dollars, or so much thereof as may be necessary.

The balance remaining unexpended in the treasury of the sum of fifteen thousand dollars, appropriated by chapter seven hundred and twenty-six of the laws of eighteen hundred and ninety-three, for abating nuisances caused by insufficient drainage on the Chemung canal and Chemung canal feeder, being the sum of eleven thousand five hundred dollars and eighty-two cents, is hereby reappropriated for abating nuisances caused by insufficient drainage on the Chemung canal and Chemung feeder, which nuisances as they exist are injurious to public health; the protection of health and life in the locality requiring the removal of the same. Said sum to be expended by the superintendent of public works upon plans and specifications to be prepared and approved by the state engineer and surveyor. Any individual or corporation claiming to be damnified by the action of the state in the abatement of any nuisance hereunder may at any time within one year file a claim therefor with the board of claims and jurisdiction is granted said board to audit and determine any said claim, but no award shall be made unless a liability would exist against an individual or corporation under like circumstances, and from any award made any claimant or the state may appeal to the court of appeals.

For dredging, cleaning and repairing the state ditch running between the village of Seneca Falls and Waterloo, in the county of Seneca, the sum of three thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the superintendent of public works, and paid on vouchers approved by him.

For cleaning out the state ditch which empties into Crane's brook, west of the village of Port Byron, in Cayuga county, the sum of seven hundred dollars, the work to be done by the superintendent of public works under the direction of the state engineer.

For the completion of the mole, authorized and directed to be constructed, pursuant to chapter two hundred and seventy-eight of the laws of eighteen hundred and eighty-nine, between Hough-taling island and the Hudson river, the sum of twelve hundred dollars, or so much thereof as may be necessary, but no work shall be done or money expended for such work, except on plans and specifications to be prepared and furnished by the state engineer and surveyor.

For the betterments of the road leading from the state camp to Roa Hook dock and for the construction of a military road to connect the state camp with the river road near Highlands station, twelve thousand dollars, or so much thereof as may be necessary.

For the Argus company, for printing and binding in cloth two thousand copies of the clerk's manual for eighteen hundred and ninety-three, in accordance with a concurrent resolution of the Legislature of eighteen hundred and ninety-three, one thousand dollars.

For the commissioners of statutory revision, for the prosecution of their work during the year eighteen hundred and ninety-four and to the close of the annual session of the legislature of eighteen hundred and ninety-five, seventeen thousand dollars, or so much thereof as may be necessary, to pay for their services, personal and incidental expenses, clerk hire and printing, as shall be certified to be just and reasonable by the governor and the chairman of the judiciary committees of the senate and assembly, the payment of each commissioner for services, not to exceed the rate of two hundred and fifty dollars per month.

For the erection of additional school-room for the Onondaga Indian reservation, and for furnishing the same, one thousand two hundred dollars.

For necessary repairs for Indian school-houses on the Shinnecock and Poospatuck reservation, eight hundred and fifty dollars.

For supplies for Indian schools on the Tonawanda reservation, eight hundred and fifty dollars.

For repairs and supplies for Indian schools on the Saint Regis reservation, four hundred and fifty dollars.

For the purpose of working and improving the state roads through the Saint Regis Indian reservation in the county of Franklin, three thousand dollars, said work to be executed and said moneys expended under the direction of the superintendent of public works.

For repairs of highways and bridges on the Onondaga Indian reservation, to be expended under the direction of the superintendent of public works, as follows: On the road and bridges known as the Quarry road, two hundred dollars; on the road

and bridges known as the Cardiff road, eight hundred dollars; on the road and bridges known as the William Hill road, and to protect said road by removing obstructions from the creek and straightening it, seven hundred dollars; and on the road and bridges known as the South Onondaga road, three hundred dollars.

For the legal expenses of the removal of squatters upon Indian lands in the county of Cattaraugus, as provided for by chapter two hundred and twenty-nine of the laws of eighteen hundred and ninety-three, the sum of sixty dollars, or so much thereof as may be necessary, to be paid upon the audit of the comptroller.

For repairs, betterments and improvements to the Thomas asylum for orphan and destitute Indian children on the Cattaraugus Indian reservation, to be expended under the direction of the board of managers of said asylum, with the approval of the commissioner of the state board of charities for the eighth judicial district, the sum of six thousand six hundred and twenty-five dollars.

For repair and maintenance of highway between Lawton's station and the highway leading from Gowanda to the said Thomas asylum, to be expended under the direction of the board of managers of said asylum with the approval of the commissioner of the state board of charities for the eighth judicial district, the sum of four hundred dollars.

For counsel and witness fees in the matter of an investigation of the management of the custodial asylum for feeble-minded women at Newark, Wayne county, to be paid by the comptroller on vouchers approved by the state board of charities, eight hundred dollars.

For the maintenance of farmer's institutes, held under the auspices of the New York state agricultural society, to be paid upon the order of the director of farmers' institutes, and certified to by the secretary of the New York state agricultural society, in sums as needed, for which vouchers of expenditures, duly audited by the director and verified by his affidavit as director of farmer's institutes, shall be rendered, fifteen thousand dollars.

For the inspector of gas meters, for balance due for salary from April thirteenth, eighteen hundred and ninety-three to September thirtieth, eighteen hundred and ninety-three, eleven hundred and fifty-nine dollars and seventy-two cents, and for balance due for salary for the year ending September thirtieth, eighteen hundred and ninety-four, the sum of two thousand five hundred dollars; and for the payment of the amount due three deputy inspectors of gas meters, for salary from May first, eighteen hundred and ninety-three, to September thirtieth, eighteen hundred

and ninety-three, eighteen hundred and seventy-five dollars, and for said deputies, for balance due for salary for the year ending September thirtieth, eighteen hundred and ninety-four, four thousand five hundred dollars.

For the library of the supreme court in the second judicial district at Brooklyn, for the purchase of books, to be paid on bills therefor, certified by a majority of the trustees having charge of said library, the sum of three thousand dollars, or so much thereof as may be necessary.

For the second judicial law library at Newburgh, for the purchase of law books and reports, and necessary rebinding of books belonging to said library, the sum of one thousand five hundred dollars, to be paid on bills therefor certified by a majority of the trustees having charge of said library.

For the fifth judicial law library at Utica, for the purchase of law books and reports, and necessary rebinding of books belonging to said library, the sum of two thousand dollars, to be paid on bills therefor, certified by a majority of the trustees having charge of said library.

For the sixth judicial district law library at Binghamton for the purchase of law books and reports and necessary rebinding of books belonging to said library, the sum of two thousand dollars to be paid on bills therefor, certified to by the justices of the supreme court, having said library in charge.

For the court of appeals library, situated in the city of Syracuse, Onondaga county, New York, for the purchase of books and other supplies for said library, the sum of two thousand dollars.

For the commissioners of fisheries, for hatching shad on the Hudson river, one thousand five hundred dollars; for the transportation and distribution of black bass, five hundred dollars; for hatching muscallonge at Chautauqua, whitefish and ciscoes at Clayton, and pike on Oneida lake, one thousand five hundred dollars; for improving water supply and hatcheries, Caledonia and Adirondack, one thousand five hundred dollars.

For legal services of Edward G. Whittaker, as counsel for the commissioners in case of commissioners of fisheries against John J. Crommen, one thousand five hundred dollars.

For the commission of fisheries, for the completion and maintenance for the fiscal year ending September thirtieth, eighteen hundred and ninety-four, of the Pleasant Valley fish hatchery, located on an inlet of Lake Keuka, in Steuben county, as provided by chapter thirty-nine of the laws of eighteen hundred and ninety-three, the sum of three thousand dollars, or so much thereof as may be necessary.

For the chief game and fish protectors, for the payment of expenses of detectives, necessarily employed in the service of his

department, and for office and contingent expenses, two thousand dollars, or so much thereof, as may be necessary.

For completing volume eight, part two, of the paleontology of the state of New York, for lithographing, two hundred dollars,

For the forest commission, for deficiency in appropriation for compensation of foresters, the sum of five thousand five hundred dollars.

The sum of twenty-one thousand nine hundred and forty-three dollars and thirty-four cents, being the sum paid into the state treasury from proceeds of lands sold and lands leased by the forest commission, pursuant to chapter three hundred and thirty-two, laws of eighteen hundred and ninety-three, is hereby appropriated for the purchase of lands within the Adirondack park, as provided by section one hundred and twenty-three, article eighth, of said act.

The appropriation of one thousand five hundred dollars, made by chapter seven hundred and twenty-six, laws of eighteen hundred and ninety-three, "for enclosing with wire fence such number of additional acres as may be deemed necessary by the forest commission for the use of parks," is hereby appropriated for the maintenance of the Catskill deer parks, as provided in chapter five hundred and sixty-two, of the laws of eighteen hundred and eighty-seven, including the expenses of procuring and purchasing live deer or other game.

For mounting and distribution of the geographic base of the geological map of the state to members of legislature and state officers, three hundred and fifty dollars.

The sums hereby appropriated to be paid upon the certificate of the state geologist and the audit of the comptroller.

To the trustees of the state museum for the preservation and necessary expenses of the state's exhibits returned from the world's fair, five thousand dollars.

To John Bower for services and expenses as accountant in examination of the books and accounts of the New York state reformatory, seven hundred and fifty dollars, or so much thereof as shall be approved by the state board of charities and audited and allowed by the comptroller.

To James M. Ruso for services and expenses in reporting the investigation of the New York state reformatory, at Elmira, two thousand six hundred dollars or so much thereof as shall be approved by the state board of charities and audited and allowed by the comptroller.

For Charles M. Preston, superintendent of banks, in full for legal costs and disbursements due him in the cases of the people ex rel. Charles M. Fairchild, two hundred and ten dollars and ninety-nine cents.

For clerk hire, stenographer, postage, stationery and other incidental expenses of a commissioner to be appointed by the governor to examine the report of the next legislature as to the necessity and propriety of a partial revision of the code of civil procedure, with a view to its condensation and simplification, and as to whether a rearrangement upon a more scientific basis would not render it more convenient and valuable, and if so in what respects, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid by the comptroller on the certificate of such commissioner.

Regents of the University.

For the necessary expenses of special preliminary examinations in September, eighteen hundred and ninety-four, and eighteen hundred and ninety-five, for medical students, in pursuance of chapter four hundred and sixty-eight of the laws of eighteen hundred and eighty-nine, and for law students, as prescribed by the court of appeals in pursuance of section one hundred and ninety-three of the code of civil procedure, two thousand dollars.

To the regents of the university to enable them to grant the petitions of the academies and high schools of the state for academic examinations, both in March and June, eighteen hundred and ninety-four, five thousand dollars.

For the care and cleaning of the rooms of the state library, regents office, examinations, extensions, public libraries and duplicate departments, and the other rooms occupied by the university of the state in the basement and on the first, third, fourth and fifth floors of the capitol; and for janitor, watchmen, porters, and for running the library elevator, and for labor of cleaning and handling the books from December fifteenth, eighteen hundred and ninety-three, to October first, eighteen hundred and ninety-five, to be paid on vouchers duly authenticated by the regents as for their other expenses ten thousand dollars, and for the purchase of a framed portrait of Chancellor George William Curtis, to be placed in the state library, one hundred and twenty-five dollars.

Normal Schools.

For the normal and training school at Plattsburg, to be expended under the direction of the local board of managers, for library and apparatus, fire extinguishers and safe, five hundred dollars, and for improvement of grounds, five hundred dollars.

For the state normal and training school at Cortland, fourteen thousand dollars for completing repairs on old building, providing quarters for janitor, grading and improving grounds, painting and finishing interior walls of new building, furniture, books and supplies, and for physical and chemical apparatus, to be

expended under the direction of the local board of managers of said school.

For the state normal and training school at Oneonta for supplies, text-books, blanks, stationery, rentals and labor, three thousand five hundred dollars to be expended under the direction of the local board of managers of the school.

Payable from the Free School Fund.

For the department of public instruction, for the employment of qualified persons to examine answer papers submitted by candidates under the system of uniform examinations for school commissioners' certificates, the sum of ten thousand dollars, or so much thereof as may be necessary.

For the American museum of natural history in the city of New York, for continuing the instruction of natural history, geography and kindred subjects, to the several state normal schools, the normal college of the city of New York, the training school for teachers in the city of Brooklyn, the teachers' institutes in the different counties of the state, and to the teachers in the common schools of the city of New York, Brooklyn and vicinity, as per contract entered into between the state superintendent of public instruction and the American museum of natural history of the city of New York, as authorized by chapter four hundred and twenty-eight of the laws of eighteen hundred and eighty-three, by chapter forty-three of the laws of eighteen hundred and ninety-one, and chapter six of the laws of eighteen hundred and ninety-three, eighteen thousand dollars.

For fees of county treasurers, for receiving and disbursing the state school tax for the year eighteen hundred and ninety-four, the sum of eight thousand dollars, or so much thereof as may be necessary, pursuant to chapter one hundred and ten of the laws of eighteen hundred and seventy-one.

No manager, trustee or other officer of any state charitable or other institution receiving moneys from the state treasury for maintenance and support shall be individually interested in any purchase, sale or contract made by any officer for any of said institutions.

The managers, trustees, superintendents or other proper officer of each state hospital, asylum, charitable or reformatory institution, the state commission in lunacy, the state board of charities, the state board of health, and the commission of fisheries, shall quarterly, on January first, April first, July first and October first of each fiscal year, render to the comptroller a detailed, itemized and particular account of all receipts and expenditures with sub-vouchers, of state hospital, asylum, charitable or reformatory

institution, state commission in lunacy, state board of charities, state board of health and commission of fisheries, during the three months preceding.

Such accounts shall be receipted and verified by the oath or affirmation of the officer rendering the same; and the comptroller shall examine and audit such accounts with the same authority as if they had been liquidated and paid in full from moneys appropriated from the state treasury.

The accounts shall give in detail the source of all receipts, including any sums received from counties, and be accompanied by original and proper vouchers covering the items of expenditure, unless such voucher shall have been previously filed with the comptroller, or with the treasurers of counties, or other persons entitled to receive the same.

All institutions receiving moneys from the state treasury for maintenance, in whole or in part, shall deposit all their funds in some responsible bank, banks, or banking house, in pursuance of the provisions of chapter three hundred and twenty-six of the laws of eighteen hundred and eighty, and all state institutions and departments, excepting charitable institutions, reformatories, houses of refuge and state industrial school, shall pay into the treasury, quarterly, all receipts and earnings other than receipts from the state treasury.

No manager, trustee or other officer of a state hospital or any other state charitable or other institution receiving moneys in whole or in part from the state treasury for maintenance or support shall be interested individually in any corporation directly or indirectly, in any purchase or sale made by any of said officers for any of said institutions.

A trustee or manager of a state hospital or the agent or warden of a state prison who shall audit or approve any voucher for expenses in excess of the estimate for the same as revised and approved by the state commission in lunacy or the superintendent of state prisons, shall be personally liable to the people of the state for the same, and the same may be recovered by an action at law in the name of the people of the state of New York.

All charitable institutions, reformatories, houses of refuge and the state industrial school, shall file with the comptroller on or before October twentieth of each year, a certified inventory of all articles of maintenance on hand at the close of the preceding fiscal year, naming in such inventory the kind and amount of such articles of maintenance.

The comptroller is hereby authorized and empowered to devise a form of accounts to be observed in every state charitable institution, reformatory, house of refuge, state industrial school or

department, which shall be accepted and followed by such institutions and departments after thirty days' notice thereof has been submitted to them by the comptroller, and such form of accounts shall include such a uniform method of book-keeping, filing and rendering of accounts as may insure a uniform mention of purchase of like articles, whether by weight, measure or otherwise, as the interest of the public service requires. Such form shall also include a uniform rate of allowance in reporting in such institutions and departments, the amount in value of all produce and other articles of maintenance raised upon lands of the state, and which may enter into the maintenance of such institutions or departments.

It shall be the duty of the clerk or book-keeper in each state charitable institution, reformatory, house of refuge, state industrial school, or any state department, to receive and examine all articles purchased by the proper officer or received for the maintenance thereof, to compare them with the bill therefor, to ascertain whether they correspond in weight, quantity and quality, and to inspect the supplies thus received; and the said clerk or book-keeper shall also enter each bill of goods thus received in the books of the institution or department in which he is employed at the time of the receipt of the articles; and if any discrepancy is found between such bill and the articles received, he shall make a note thereof, whether it be in weight, quality or quantity, and no goods or other articles of purchase, or farm or garden production of lands of the institution, shall be received unless an entry thereof be made in the book of accounts of the institution, with the proper bill, invoice or mention, according to the form of accounts and record prescribed by the comptroller.

In accounts for repairs or new work, the name of each workman, the number of days he is employed, and the rate and amount of wages paid to him shall be given.

If contracts are made for repairs or new work, or for supplies, a duplicate thereof, with specifications, shall be filed with the comptroller.

§ 2. This act shall take effect immediately.

Mr. Ainsworth moved to non-concur in the amendments of the Senate thereto, and that a committee of conference be appointed on the part of the Assembly, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee on the part of the Assembly, Messrs. Ainsworth, Howe, Stewart, Bush and Butts.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments and have appointed a committee of conference thereon, and request the appointment of a like committee on the part of Senate.

The bill (No. 1259) entitled "An act to authorize the common council of the city of Corning to borrow money and issue the obligation of said city in payment of certain real estate (Int. No. 1127), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	Messiter	Smith, M.F.
Babcock	Dowling	Howe	Mittnacht	Smith, S.W.
Baker	Eldredge	Keleher	Myers	Snyder
Berry	Fairbrother	Kelsey	Plant	Stadtfeld
Braun	Finnigan	Kerr	Porter	Stein
Bush	Friday	Kern	Prescott	Sulzer
Butts	Fuller	Kerrigan	Rider, J.J.	Terry, C.W.
Carroll	Gardiner	Kneeland	Robertson	Thompson
Cassin	Gleason	Lawson	Robinson	Tilton
Chambers	Glenn	Lee	Roche	Trainor
Chapman	Gould	Lounsbury	Scanlon	Tuttle
Clark, F.E.	Herrman	Loonan	Schillinger	Van Amber
Conklin	Hobbie	Marrin	Schoepflin	Vehslage
Corrigan	Hoefer	Matthews	Schulz, F.F.	Wieman
Dean	Horton	McDermott	Schulz, H	Wilcox
Denniston	Hotaling	McNamee	Sherwood	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1335) entitled "An act to amend the Penal Code, in relation to furnishing libelous information" (Int. No. 1180), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Hoysradt	Myers	Smith, M.F.
Babcock	Eldredge	Keleher	O'Donnell	Smith, S.W.
Baker	Fairbrother	Kelsey	O'Grady	Snyder
Berry	Finnigan	Kerr	Plant	Stadtfeld
Braun	Friday	Kern	Porter	Stein
Bush	Fuller	Kneeland	Prescott	Sulzer
Butts	Gardiner	Lawson	Rider, J.J.	Terry, C.W.
Carroll	Gerst	Lee	Robertson	Thompson
Cassin	Gleason	Lounsbury	Robinson	Tobin
Chambers	Glenn	Loonan	Roche	Trainor
Chapman	Gould	Marrin	Ryder, E.L.	Tuttle
Clark, F.E.	Gray	Matthews	Scanlon	Van Amber
Conklin	Herrman	McDermott	Schillinger	Vehslage
Corrigan	Hobbie	McKeon	Schoepflin	Wells
Dean	Horton	McNamee	Schulz, F.F.	Wieman
Denniston	Hotaling	Messiter	Schulz, H	Wilcox
Dinkelspiel	Houghton	Mittnacht	Sherwood	Wyckoff
Douglas	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1251) entitled "An act to amend the Penal Code, in relation to ice cuttings and ice bridges" (Int. No. 1113), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Hoysradt	Mittnacht	Smith, S.W.
Babcock	Eldredge	Keleher	Myers	Snyder
Baker	Fairbrother	Kelsey	O'Grady	Stadtfeld
Berry	Finnigan	Kerr	Plant	Stein
Braun	Friday	Kern	Porter	Sulzer
Bush	Fuller	Kneeland	Prescott	Terry, C.W.
Butts	Gardiner	Lawson	Rider, J.J.	Thompson
Carroll	Gerst	Lee	Robertson	Thornton
Cassin	Gleason	Lounsbury	Robinson	Tilton
Chambers	Glenn	Loonan	Ryder, E.L.	Trainor

Chapman	Gould	Marrin	Scanlon	Tuttle
Clark, F.E.	Herrman	Matthews	Schillinger	Van Amber
Conklin	Hobbie	McDermott	Schoepflin	Vehslage
Corrigan	Horton	McKeon	Schulz, F.F.	Wells
Dean	Hotaling	McNamee	Schulz, H	Wieman
Denniston	Houghton	Melody	Sherwood	Wilcox
Dinkelspiel	Howe	Messiter	Smith, M.F.	Wyckoff
Douglas				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No 1338) entitled "An act to prevent the display of foreign flags or emblems on public buildings" (Int. No. 1183), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
 { NOES 29 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	Robertson	Terry, C.W
Babcock	Fairbrother	Kelsey	Robson	Terry, J.F.
Baker	Finnigan	Kern	Schoepflin	Thompson
Berry	Fish	Kneeland	Schulz, F.F.	Thornton
Braun	Friday	Lawson	Schulz, H	Tilton
Brownell	Fuller	Lee	Seibert	Tuttle
Burtis	Gardiner	Lounsbury	Sheffield	Vacheron
Bush	Gerst	Matthews	Sherwood	Van Amber
Chambers	Gould	Messiter	Smith, M.F.	Vehslage
Clark, F.E.	Herrman	Mitnacht	Smith, S.W.	Whittet
Conklin	Higbie	Myers	Snyder	Wieman
Cutler	Hobbie	O'Grady	Stadtfeld	Wilcox
Dean	Hoeffer	Porter	Stewart	Wray
Denniston	Horton	Prescott	Stone	Wyckoff
Douglas	Hotaling	Rider, J.J.	Sulzer	Speaker
Dowling	Houghton	Robbins	Taylor	

Those who voted in the negative, were

Butts	Corrigan	Kerr	O'Donnell	Schillinger
Cahill	Dinkelspiel	Kerrigan	Plant	Southworth
Cain	Foley	Loonan	Reilly	Stein
Callahan	Gleason	Marrin	Robinson	Tobin
Carroll	Hennessy	McNamee	Roche	Trainor
Cassin	Keleher	Melody	Scanlon	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Robbins rose to a question of personal privilege, in the words following:

Mr. Speaker, I rise to a question of personal privilege. When the bill of Mr. Sheffield was under consideration last evening I raised some question in regard to the form of the bill. I regarded it as defective, and as not in fact reaching the purpose which it was designed to serve. I raised that question with the most absolute sincerity and the most absolute good faith. I supposed it was my right and duty and privilege if I had any doubts in regard to the form of the bill, the way it was drawn, the manner in which it was to take effect, to raise that question on the floor of this House the same as any other member and have a fair discussion and understanding of it. I did not suppose because I sought to exercise my rights that I was to be stigmatized as an assistant Democrat or a member of Tammany Hall.

Mr. Speaker, I have had but one purpose since I became a member of this honorable body, and that is without fear or favor or without the solicitation of any man, and I will say as far as this bill is concerned no Democrat ever approached me in regard to it, no Democrat ever solicited me to vote against it or asked me what position I would take in regard to it. I acted in sincerity and with real desire to consult and know the truth and do my duty before this House upon my conscience and upon my oath.

I find in one of the metropolitan papers to-day the following: "What was the cause of this desertion of the party by the Republican Assemblyman? Possibly the Tammany Hall leaders who were here last week can explain. Tammany Hall is a rich organization and it has an immense amount of patronage at its disposition. That is the only explanation the Republican members can think of."

Now I know the power of a metropolitan paper to blacken and stain the name of any man. I want to know if a member cannot rise in good faith without having his name blackened and being branded and stigmatized as a traitor and ostracised and read out of his party. I am just as sincere a Republican as stands on the floor, and I never raised an objection that I did not believe was right. I said then and say now when a bill is

proposed to the House which I believe drawn in a proper form and introduced in a proper manner I stand ready to vote just as cheerfully as any man on the floor. I say, Mr. Speaker, with no desire or expectations that I will be treated fairly in the public press in this matter or by this newspaper, that I have been most unfairly treated. They should have stated why I voted on this bill as I did. But in order to place myself right before the Republicans of the House and have my record thoroughly and squarely understood by men whose good opinion I desire and before whom I must be judged I will say, Mr. Speaker, as I said before, I am a Republican; I vote at the solicitation of no man; I never have. I have tried to do my duty upon my oath and ascertain the merits of every bill and support it upon its intrinsic merits. It was not a pleasant thing for me to rise last night. I could have obviated all this criticism, but upon my duty and upon my oath I believed I was under obligation to inquire what was right. That was the only motive I had on this or any other bill, and notwithstanding the branding of the press I stand here to-day and say on this and every other measure I shall endeavor to do my duty and never be deterred by adverse criticism so long as I can leave this hall with a clean conscience and belief that I have done right.

Mr. Stone rose to a question of personal privilege, in the words following:

I am also one of those ostracised Republicans. I wish to state here that it was not last night that I objected for the first time to this bill. That on its second reading I told one of my colleagues that unless this bill was changed I should decline to vote for it. I did so and I am not sorry for it.

The bill (No. 1231) entitled "An act to amend chapter 153 of Laws of 1889, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,' in reference to the pension roll of the firemen's insurance fund" (Int. No. 1091), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keleher	O'Donnell	Snyder
Babcock	Douglas	Kelsey	O'Grady	Stadtfeld
Baker	Dowling	Kerr	Plant	Stewart
Berry	Eldredge	Kern	Porter	Sulzer
Braun	Fairbrother	Kerrigan	Prescott	Terry, J.F.
Cahill	Foley	Kneeland	Rider, J.J.	Thompson
Cain	Fuller	Lawson	Robertson	Tilton
Callahan	Gerst	Lee	Robinson	Tobin
Carroll	Gleason	Lounsbury	Scanlon	Trainor
Cassin	Herrman	Loonan	Schillinger	Tuttle
Chambers	Higbie	Marrin	Schoepflin	Vacheron
Chapman	Hobbie	Matthews	Schulz, F.F.	Van Amber
Clark, F.E.	Hoeffler	McKeon	Schulz, H	Vehslage
Conklin	Hotaling	Melody	Sherwood	Whittet
Corrigan	Houghton	Messiter	Smith, M.F.	Wilcox
Coughlin	Howe	Myers	Smith, S.W.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1330) entitled "An act to amend chapter 157 of of the Laws of 1854, entitled 'An act to incorporate the village of Mohawk,' relating to sidewalks" (Int. No. 1174), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Parkhurst	Stein
Babcock	Dinkelspiel	Keck	Porter	Stevens
Baker	Douglas	Keleher	Prescott	Stewart
Berry	Dowling	Kelsey	Rider, J.J.	Stone
Braun	Eldredge	Kern	Robbins	Sulzer
Brennan	Fairbrother	Kerrigan	Robertson	Taylor
Brownell	Fish	Kneeland	Robinson	Terry, C.W.
Burtis	Foley	Lasch	Robson	Terry, J.F.
Bush	Friday	Lawson	Roche	Thompson
Butts	Gerst	Lee	Ryder, E.L.	Thornton
Cahill	Gleason	Lounsbury	Schillinger	Tilton

Cain	Glenn	Loonan	Schoepflin	Tobin
Callahan	Gould	Marrin	Schulz, F.F.	Trainor
Carroll	Harrigan	Matthews	Schulz, H	Vacheron
Chambers	Herrman	McDermott	Seibert	Van Amber
Clark, F.E.	Higbie	McKeon	Sheffield	Vehslage
Conklin	Hobbie	McNamee	Smith, M.F.	Wells
Corrigan	Hoefler	Melody	Smith, S.W.	Whittet
Coughlin	Horton	Messiter	Snyder	Wilcox
Cutler	Hotaling	O'Donnell	Southworth	Wray
Davidson	Houghton	O'Grady	Stadtfeld	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1177) entitled "An act to amend an act entitled 'The Military code,' being chapter 17 of the general laws" (Int. No. 1044), having been announced for a third reading,

On motion of Mr. O'Grady, said bill was recommitted to the committee on military affairs, retaining its place on the order of third reading.

The bill (No. 326) entitled "An act making an appropriation for repairing the State armory at Auburn, and enlarging its drill room, and to provide for the exchange of certain portions of the armory lot for adjoining land, and for the acquisition of other adjoining land, and appointing a commission therefor" (Int. No. 317), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present

{ AYES 106 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Parkhurst	Stadtfeld
Babcock	Dowling	Keleher	Plant	Stein
Baker	Eldredge	Kelsey	Porter	Stevens
Berry	Finnigan	Kerr	Prescott	Stewart
Brennan	Fish	Kern	Rider, J.J.	Stone
Brownell	Foley	Kneeland	Robbins	Sulzer
Burtis	Friday	Lasch	Robertson	Taylor
Bush	Fuller	Lawson	Robson	Terry, C.W.
Burts	Gardiner	Le	Roche	Terry, J.F.
Cahill	Gerst	Lounsbury	Ryder, E.L.	Thompson
Cain	Glenn	Loonan	Scanlon	Thornton

Carroll	Gould	Marrin	Schoepflin	Tilton
Cassin	Harrigan	Matthews	Schulz, F.F.	Tobin
Chapman	Hennessy	McDermott	Schulz, H	Trainor
Clark, F.E.	Herrman	McKeon	Seibert	Tuttle
Conklin	Higbie	Melody	Sheffield	Vacheron
Corrigan	Hobbie	Messiter	Sherwood	Wells
Coughlin	Hotaling	Mittnacht	Smith, M.F.	Whittet
Cutler	Houghton	Myers	Smith, S.W.	Wilcox
Davidson	Howe	Nixon	Snyder	Wray
Dean	Hoysradt	O'Grady	Southworth	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Taylor called from the table the bill (No. 1022) entitled "An act to amend chapter 300 of the Laws of 1875, entitled 'An act providing that the bridge in course of construction over the East river, between the cities of New York and Brooklyn, by the New Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company and the completion and management of said bridge by the said cities, relating to the compensation of policemen'" (Int. No. 938), the same having been laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Kelsey	Reilly	Stein
Baker	Dowling	Kerr	Rider, J.J.	Stevens
Berry	Fairbrother	Kerrigan	Robbins	Stewart
Braun	Finnigan	Kneeland	Roberson	Stone
Brennan	Foley	Lawson	Robson	Sulzer
Burtis	Friday	Lee	Roche	Taylor
Bush	Gardiner	Lounsbury	Ryder, E.L.	Terry, C.W.
Butts	Glenn	Loonan	Scanlon	Terry, J.F.
Cahill	Gould	Marrin	Schillinger	Thompson
Callahan	Harrigan	Matthews	Schoepflin	Thornton
Carroll	Herrman	McDermott	Schulz, F.F.	Tilton
Cassin	Higbie	McNamee	Schulz, H	Trainor
Chapman	Hobbie	Melody	Seibert	Tuttle
Clark, F.E.	Horton	Messiter	Sheffield	Vacheron

Conklin	Hotaling	Mittnacht	Sherwood	Van Amber
Corrigan	Houghton	Myers	Smith, M.F.	Vehslage
Coughlin	Howe	O'Donnell	Smith, S.W.	Whittet
Davidson	Keck	O'Grady	Snyder	Wieman
Dean	Keenan	Plant	Southworth	Wray
Denniston	Kelcher	Porter	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 887) entitled "An act to amend chapter 488 of the Laws of 1892, entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof'" (Int. No. 816), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 100 {
 } NOES 00 {

Those voting in the affirmative, were

Ainsworth	Denniston	Keenan	O'Grady	Snyder
Babcock	Dinkelspiel	Kelcher	Plant	Southworth
Baker	Dowling	Kelsey	Porter	Stadtfeld
Berry	Eldredge	Kerr	Prescott	Stein
Braun	Finnigan	Kerrigan	Reilly	Stevens
Brennan	Fish	Kneeland	Rider, J.J.	Stewart
Brownell	Foley	Lasch	Robbins	Stone
Burtis	Friday	Lawson	Robinson	Sulzer
Bush	Fuller	Lee	Robson	Taylor
Butts	Gerst	Lounsbury	Roche	Terry, C.W.
Cahill	Glenn	Loonan	Ryder, E.L.	Terry, J.F.
Cain	Gould	Marrin	Scanlon	Thompson
Callahan	Harrigan	Matthews	Schoepflin	Tilton
Cassin	Herrman	McDermott	Schulz, F.F.	Trainor
Clark, F.E.	Higbie	McKeon	Schulz, H	Vacheron
Conklin	Hobbie	McNamee	Seibert	Vehslage
Corrigan	Hoeffler	Melody	Sheffield	Whittet
Cutler	Hotaling	Messiter	Sherwood	Wilcox
Davidson	Howe	Mittnacht	Smith, M.F.	Wray
Dean	Keck	O'Donnell	Smith, S.W.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1267) entitled "An act to amend sections 1907

and 1908 of the Code of Civil Procedure, relating to libel" (Int No. 836), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	81	}
{	NOES	1	}

Those who voted in the affirmative, were

Babcock	Davidson	Hobbie	Melody	Schulz, H
Baker	Dean	Hoefler	Mittnacht	Snyder
Berry	Denniston	Horton	Myers	Stein
Braun	Dinkelspiel	Houghton	O'Grady	Stone
Brennan	Douglas	Keenan	Porter	Sulzer
Burtis	Dowling	Keleher	Prescott	Terry, C.W
Bush	Eldredge	Kelsey	Reilly	Terry, J.F.
Butts	Fairbrother	Kern	Rider, J.J.	Thompson
Cahill	Finnigan	Kerrigan	Robertson	Trainor
Cain	Fish	Kneeland	Robinson	Tuttle
Carroll	Foley	Lasch	Robson	Vacheron
Cassin	Friday	Lawson	Ryder, E.L.	Van Amber
Chapman	Gerst	Loonan	Scanlon	Vehslage
Clark, F.E.	Glenn	McDermott	Schillinger	Whittet
Conklin	Hennessy	McKeon	Schoepflin	Wilcox
Corrigan	Herrman	McNamee	Schulz, F.F.	Wyckoff
Coughlin				

In the negative

Smith, S.W.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish in the chair.

The bill (No. 1401) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the appropriation of moneys by the board of estimate for certain purposes" (Int. No. 1137), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
 { NOES 7 }

Those who voted in the affirmative, were

Ainsworth	Coughlin	Hobbie	Messiter	Stadtfeld
Babcock	Cutler	Hoefler	O'Grady	Stein
Baker	Davidson	Horton	Porter	Stewart
Berry	Dean	Houghton	Prescott	Stone
Braun	Denniston	Howe	Rider, J.J.	Taylor
Brennan	Dinkelspiel	Keck	Robertson	Terry, C.W.
Brownell	Douglas	Kelsey	Robinson	Perry, J.F.
Burtis	Eldredge	Kern	Ryder, E.L.	Thornton
Butts	Fairbrother	Kneeland	Scanlon	Tilton
Cahill	Fish	Lawson	Schoepflin	Trainor
Cain	Friday	Lee	Schulz, F.F.	Tuttle
Callahan	Fuller	Lounsbury	Schulz, H	Vacheron
Carroll	Gerst	Loonan	Seibert	Wells
Chambers	Gleason	Marrin	Sherwood	Wieman
Chapman	Glenn	Matthews	Smith, M.F.	Wray
Conklin	Gould	McDermott	Snyder	Wyckoff
Corrigan	Higbie	McNamee		

Those who voted in the negative, were

Bush	Hennessy	Reilly	Schillinger	Sulzer
Dowling	Keleher			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1240) entitled "An act to provide for the completion and the care of the soldiers and sailors' monument in the city of Brooklyn, and to provide the means therefor" (Int. No. 1102), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Melody	Sheffield
Babcock	Dinkelspiel	Hoysradt	Messiter	Sherwood
Baker	Douglas	Keenan	Mittnacht	Snyder
Braun	Eldredge	Keleher	Myers	Stadtfeld
Brennan	Fairbrother	Kelsey	O'Donnell	Stein
Brownell	Finnigan	Kerr	Parkhurst	Stewart

Burtis	Fish	Kern	Porter	Stone
Bush	Foley	Kerrigan	Prescott	Sulzer
Butts	Fuller	Kneeland	Rider, J.J.	Taylor
Cain	Gerst	Lawson	Robertson	Terry, J.F.
Carroll	Gleason	Lee	Robinson	Tilton
Cassin	Gould	Lounsbury	Robson	Tobin
Chapman	Gray	Loonan	Roche	Trainor
Clark, F.E.	Harrigan	Marrin	Ryder, E.L.	Vacheron
Conklin	Hennessy	Matthews	Scanlon	Vehslage
Coughlin	Higbie	McDermott	Schillinger	Wells
Cutler	Hoefler	McKeon	Schulz, F.F.	Wilcox
Davidson	Horton	McNamee	Schulz, H	Wyckoff
Dean	Hotaling			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1305) entitled "An act to amend the Code of Civil Procedure, relating to when the court must grant a new trial" (Int. No. 1146), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	74 }
{ NOES	6 }

Those who voted in the affirmative, were

Ainsworth	Corrigan	Hoefler	Prescott	Stewart
Babcock	Coughlin	Howe	Rider, J.J.	Stone
Baker	Cutler	Keck	Robson	Taylor
Berry	Dean	Kelsey	Scanlon	Terry, C.W.
Braun	Dinkelspiel	Kerr	Schillinger	Terry, J.F.
Brownell	Eldredge	Kern	Schoepflin	Thornton
Burtis	Fairbrother	Lawson	Schulz, F.F.	Tilton
Bush	Foley	Lee	Seibert	Tobin
Butts	Fuller	Loonan	Sheffield	Vacheron
Cain	Gleason	Matthews	Sherwood	Van Amber
Carroll	Gould	McDermott	Smith, M.F.	Wells
Cassin	Gray	McKeon	Smith, S.W.	Whittet
Chambers	Hennessy	McNamee	Snyder	Wieman
Clark, F.E.	Herrman	Messiter	Stadtfeld	Wyckoff
Conklin	Hobbie	Porter	Stein	

Those who voted in the negative, were

Davidson	Keleher	Marrin	Mittnacht	Sulzer
Hotaling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1308) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests the city of New York,' relating to the clerk of the board of aldermen" (Int. No. 1151), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Coughlin	Hoysradt	Mittnacht	Snyder
Babcock	Davidson	Keck	Myers	Stadtfeld
Baker	Dean	Keenan	O'Donnell	Stein
Berry	Dinkelspiel	Keleher	O'Grady	Sulzer
Brennan	Dowling	Kelsey	Porter	Taylor
Brownell	Fairbrother	Kern	Prescott	Terry, C.W.
Burtis	Finnigan	Kerrigan	Reilly	Terry, J.F.
Bush	Fish	Kneeland	Robbins	Thompson
Butts	Friday	Lawson	Robertson	Thornton
Cain	Fuller	Lee	Robinson	Trainor
Callahan	Gardiner	Lounsbury	Seanlon	Vacheron
Carroll	Gerst	Loonan	Schillinger	Vehslage
Cassin	Gould	Matthews	Schoepflin	Whittet
Chambers	Gray	McKeon	Schulz, F.F.	Wieman
Chapman	Herrman	Melody	Schulz, H	Wray
Conklin	Howe	Messiter	Smith, S.W.	Wyckoff
Corrigan				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1329) entitled "An act to supplement the provisions of section 20, title 2 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and acts amendatory thereof, in relation to the board of estimate, by extending the benefits of such acts to certain institutions in the city of Brooklyn" (Int. No. 1173), having been announced for a third reading,

On motion of Mr. Taylor, said bill was amended as follows :

Page 2, line 9, insert the words "Four thousand dollars, to be paid to the Church Charity Foundation of Long Island for its hospital."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Donnell	Stadtfeld
Babcock	Denniston	Howe	Plant	Stein
Baker	Dinkelspiel	Keck	Porter	Stewart
Braun	Dowling	Keenan	Rider, J.J.	Stone
Brennan	Eldredge	Kelcher	Robbins	Sulzer
Brownell	Fairbrother	Kelsey	Robinson	Taylor
Burtis	Finnigan	Kerr .	Robson	Terry, G.W.
Bush	Fish	Kerrigan	Ryder, E.L.	Terry, J.F.
Butts	Foley	Lawson	Scanlon	Thompson
Cahill	Friday	Lee	Schillinger	Thornton
Cain	Gleason	Lounsbury	Schoepflin	Tilton
Carroll	Glenn	Loonan	Schulz, F.F.	Trainor
Cassin	Gould	Marrin	Schulz, H	Tuttle
Chambers	Harrigan	McDermott	Seibert	Vacheron
Clark, F.E.	Hennessy	McKeon	Sheffield	Vehslage
Conklin	Herrman	Melody	Sherwood	Whittet
Corrigan	Hobbie	Messiter	Smith, M.F.	Wilcox
Coughlin	Hoefler	Mittnacht	Snyder	Wray
Davidson	Horton	Myers	Southworth	Wyckoff

Ordered That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 905) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Mary Jane Charlton against the State, and to make an award therefor" (Int. No. 833), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Reilly	Stevens
Babcock	Eldredge	Kelsey	Rider, J.J.	Stewart
Baker	Fairbrother	Kerr	Robbins	Stone
Braun	Fish	Kern	Robertson	Sulzer
Brownell	Friday	Kneeland	Robinson	Terry, C.W.
Burtis	Fuller	Lawson	Robson	Terry, J.F.
Butts	Gardiner	Lee	Ryder, E.L.	Thompson
Cain	Gerst	Lounsbury	Scanlon	Thornton
Carroll	Glenn	Loonan	Schoepflin	Tilton
Chambers	Gould	Marrin	Schulz, F.F.	Tobin
Clark, F.E.	Gray	Matthews	Schulz, H	Trainor
Clark, J. H.	Higbie	McDermott	Seibert	Tuttle
Conklin	Hobbie	McNamee	Sheffield	Vacheron
Coughlin	Hoefer	Messiter	Smith, M.F.	Van Amber
Cutler	Horton	O'Grady	Smith, S.W.	Wells
Dean	Hotaling	Parkhurst	Snyder	Wieman
Denniston	Houghton	Plant	Stadtfeld	Wray
Douglas	Howe	Porter	Stein	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1202) entitled "An act to amend chapter 203 of the Laws of 1881, entitled 'An act to authorize the burial of the body of any honorably discharged soldier, sailor or marine who shall hereafter die without leaving means sufficient to defray funeral expenses, and to provide a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State'" (Int. No. 1071), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kern	Robbins	Stevens
Babcock	Fairbrother	Kerrigan	Robertson	Stewart
Baker	Fish	Kneeland	Robinson	Stone
Braun	Friday	Lawson	Robson	Sulzer

Brownell	Fuller	Lee	Roche	Terry, C.W
Burtis	Gardiner	Lounsbury	Ryder, E.L.	Terry, J.F.
Cahill	Gleason	Marrin	Scanlon	Thompson
Callahan	Glenn	Matthews	Schillinger	Thornton
Carroll	Gould	McKeon	Schulz, F.F.	Tilton
Chambers	Gray	Melody	Schulz, H	Trainor
Clark, F.E.	Herrman	Messiter	Sheffield	Tuttle
Conklin	Higbie	Mittnacht	Sherwood	Van Amber
Coughlin	Hobbie	Myers	Smith, M.F.	Vehslage
Cutler	Hotaling	O'Grady	Smith, S.W.	Wells
Davidson	Houghton	Parkhurst	Snyder	Whittet
Dean	Howe	Plant	Southworth	Wilcox
Denniston	Keck	Porter	Stadtfeld	Wray
Dinkelspiel	Kelsey	Prescott	Stein	Wyckoff
Dowling	Kerr	Rider, J.J.		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1244) entitled "An act to provide for the selection, laying out, construction and maintenance of a public driveway and parkway, and for the acquisition of riparian rights in connection therewith in any county of this State which contains a city the population of which city is in excess of \$500,000, and the boundaries of which city are not coterminous with those of said county, and also providing the means of payment thereof, and of maintenance thereof, and creating a department of parks for said county" (Int. No. 1106), having been announced for a third reading,

On motion of Mr. Wray, said bill was laid aside.

The bill (No. 1201) entitled "An act to amend chapter 507 of the Laws of 1889, entitled 'An act to authorize villages of the State of New York to establish water rates, and to collect the same,' and also to amend chapter 662 of the Laws of 1893" (Int. No. 1070), having been announced for a third reading,

On motion of Mr. Hobbie, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1325) entitled "An act to provide for the payment of certain claims against the city of Brooklyn" (Int. No. 1169), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	Prescott	Southworth
Babcock	Fairbrother	Keck	Rider, J.J.	Stadtfeld
Baker	Fish	Keleher	Robbins	Stein
Braun	Foley	Kelsey	Robertson	Stewart
Brownell	Friday	Kerr	Robinson	Stone
Burtis	Fuller	Kern	Robson	Sulzer
Bush	Gardiner	Kneeland	Ryder, E.L.	Terry, C.W.
Callahan	Gerst	Lawson	Scanlon	Terry, J.F.
Carroll	Glenn	Lee	Schillinger	Thornton
Chambers	Gould	Lounsbury	Schoepflin	Tilton
Clark, F.E.	Gray	Matthews	Schulz, F.F.	Trainor
Clark, J. H.	Herrman	Melody	Schulz, H	Tuttle
Conklin	Higbie	Messiter	Seibert	Van Amber
Corrigan	Hobbie	Myers	Sheffield	Wells
Cutler	Hoefler	O'Grady	Smith, M.F.	Wieman
Dean	Hotaling	Parkhurst	Smith, S.W.	Wray
Denniston	Houghton	Porter	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1087) entitled "An act to amend the military code by changing the chapter number thereof" (Int. No. 977), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	O'Grady	Stadtfeld
Babcock	Denniston	Houghton	Parkhurst	Stein
Baker	Dowling	Howe	Porter	Stevens
Braun	Eldredge	Keck	Prescott	Stone
Brennan	Fairbrother	Keenan	Rider, J.J.	Taylor
Brownell	Fish	Kelsey	Robbins	Terry, C.W.
Burtis	Foley	Kerr	Robertson	Terry, J.F.
Butts	Friday	Kern	Robson	Thornton
Cahill	Fuller	Kneeland	Ryder, E.L.	Tilton
Callahan	Gardiner	Lawson	Scanlon	Trainor
Carroll	Gerst	Lee	Schoepflin	Tuttle

Chambers	Glenn	Lounsbury	Schulz, F.F.	Van Amber
Chapman	Gould	Marrin	Schulz, H	Wells
Clark, F.E.	Gray	Matthews	Sheffield	Whittet
Clark, J. H.	Herrman	Melody	Sherwood	Wieman
Corrigan	Higbie	Messiter	Smith, M.F.	Wray
Coughlin	Hobbie	Myers	Smith, S.W.	Wyckoff
Cutler	Horton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 230) entitled "An act to repeal chapter 756 of the Laws of 1871, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or the bay of New York, or Raritan bay, within the jurisdiction of the State of New York,' and acts amendatory thereof and supplemental thereto" (Int. No. 232), having been announced for a third reading,

On motion of Mr. Wray, said bill was laid aside.

Mr. Wray gave notice that at 11 o'clock to-morrow morning he would move a close call of the House.

Mr. Horton rose to a question of personal privilege and stated that the New York World stated that when the bill, No. 457, Int. No. 434, entitled "An act with reference to the removal and appointment of heads of departments in the city of New York," that he had voted for recommital of the same when in fact he had voted against the same.

The bill (No. 815) entitled "An act to amend chapter 60 of the Laws of 1893, and entitled 'An act to provide for conveying the waters of Trout or Ensign brook under the Champlain canal at the Leland farm, in the town of Half Moon, Saratoga county, and making an appropriation therefor'" (Int. No. 749), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Fish	Kelsey	Reilly	Stein
Baker	Foley	Kerr	Rider, J.J.	Stewart
Braun	Friday	Kern	Robbins	Stone

Brennan	Fuller	Kerrigan	Robertson	Sulzer
Brownell	Gardiner	Kneeland	Robinson	Taylor
Burtis	Gleason	Lawson	Robson	Terry, C.W.
Callahan	Glenn	Lee	Roche	Terry, J.F.
Carroll	Gould	Lounsbury	Scanlon	Thornton
Cassin	Gray	Marrin	Schillinger	Tilton
Chambers	Herrman	Matthews	Schoepflin	Tobin
Clark, F.E.	Higbie	McKeon	Schulz, F.F.	Trainor
Clark, J. H.	Hobbie	Melody	Schulz, H	Tuttle
Conklin	Hoefler	Messiter	Seibert	Van Amber
Cutler	Horton	Myers	Sherwood	Vehslage
Dean	Hotaling	O'Grady	Smith, M.F.	Whittet
Denniston	Howe	Parkhurst	Smith, S.W.	Wieman
Dowling	Keck	Porter	Snyder	Wilcox
Eldredge	Keenan	Prescott	Stadtfeld	Wyckoff .
Fairbrother				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 828) entitled "An act to provide for repairs and improvement of the lift-bridge now over the Champlain canal, at Broad street, in the town of Waterford, Saratoga county" (Int. No. 762), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Hoysradt	Plant	Stadtfeld
Babcock	Finnigan	Keck	Porter	Stein
Baker	Fish	Keenan	Prescott	Stewart
Braun	Foley	Kelsey	Rider, J.J.	Stone
Brownell	Friday	Kerr	Robbins	Sulzer
Burtis	Fuller	Kern	Robertson	Terry, C.W.
Carroll	Gardiner	Kneeland	Robinson	Terry, J.F.
Cassin	Gerst	Lawson	Robson	Thompson
Chambers	Glenn	Lee	Roche	Thornton
Clark, F.E.	Gould	Lounsbury	Scanlon	Tilton
Clark, J. H.	Gray	Loonan	Schillinger	Tobin
Conklin	Higbie	Marrin	Schulz, F.F.	Tuttle
Corrigan	Hobbie	McDermott	Schulz, H	Van Amber
Cutler	Hoefler	Melody	Sheffield	Wells
Dean	Horton	Messiter	Sherwood	Whittet

Denniston	Hotaling	Mittnacht	Smith, M.F.	Wieman
Douglas	Houghton	O'Grady	Smith, S.W.	Wilcox
Dowling	Howe	Parkhurst	Snyder	Wyckoff
Eldredge				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 129) entitled "An act authorizing the construction of a wrought-iron bridge over the Erie canal, at Griffith street, in the city of Rochester, and making an appropriation therefor" (Int. No. 135), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Porter	Stadtfeld
Babcock	Eldredge	Howe	Prescott	Stein
Baker	Fairbrother	Keck	Rider, J.J.	Stevens
Braun	Finnigan	Keenan	Robbins	Stewart
Brennan	Fish	Kelsey	Robertson	Stone
Brownell	Friday	Kerr	Robinson	Sulzer
Burtis	Fuller	Kern	Robson	Terry, C.W.
Cain	Gar diner	Kneeland	Ryder, E.L.	Terry, J.F.
Carroll	Gerst	Lawson	Schillinger	Thompson
Cassin	Gleason	Lee	Schoepflin	Thornton
Chambers	Glenn	Lounsbury	Schulz, F.F.	Tilton
Clark, F.E.	Gould	McKeon	Schulz, H	Tobin
Clark, J. H.	Gray	Melody	Seibert	Tuttle
Conklin	Herrman	Messiter	Sheffield	Van Amber
Corrigan	Higbie	Mittnacht	Sherwood	Wells
Cutler	Hobbie	O'Donnell	Smith, M.F.	Whittet
Dean	Hoefler	O'Grady	Smith, S.W.	Wilcox
Denniston	Horton	Parkhurst	Snyder	Wyckoff
Dinkelspiel	Hotaling	Plant		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1303) entitled "An act to authorize the completion of repairs to the State dam across the Mohawk river at Cohoes, and making an appropriation therefor" (Int. No. 1144), having been announced for a third reading.

On motion of Mr. Gerst, said bill was laid aside.

The bill (No. 853) entitled "An act making an appropriation for raising and lengthening the approach to Bullard's bridge in the county of Saratoga, and State bridge No. 108 in the county of Washington" (Int. No. 788), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kelsey	Robertson	Stone
Babcock	Friday	Kerr	Robson	Sulzer
Baker	Fuller	Kern	Ryder, E.L.	Taylor
Berry	Gardiner	Kerrigan	Scanlon	Terry, C.W.
Braun	Gerst	Kneeland	Schillinger	Terry, J.F.
Brownell	Glenn	Lawson	Schoepflin	Thompson
Burtis	Gould	Lee	Schulz, F.F.	Thornton
Carroll	Gray	Lounsbury	Schulz, H	Tilton
Chambers	Herrman	Loonan	Seibert	Trainor
Clark, F.E.	Higbie	Melody	Sheffield	Tuttle
Clark, J. H.	Hobbie	Messiter	Sherwood	Van Amber
Conklin	Hoefler	Myers	Smith, M.F.	Vehslage
Cutler	Horton	O'Grady	Smith, S.W.	Wells
Dean	Hotaling	Parkhurst	Snyder	Whittet
Denniston	Houghton	Porter	Stadtfeld	Wilcox
Dowling	Howe	Prescott	Stein	Wray
Eldredge	Keck	Rider, J.J.	Stevens	Wyckoff
Fairbrother	Keenan	Robbins	Stewart	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1417) entitled "An act relating to the Avenue A in the city of New York" (Int. No. 1128), having been announced for a third reading,

On motion of Mr. Stadtfeld, said bill was laid aside.

The bill (No. 1530) entitled "An act to amend chapter 496 of the Laws of 1870, entitled 'An act to organize and establish a police for the village of West Troy,' as amended by chapter 34 of the Laws of 1892" (Int. No. 953), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1480) entitled "An act to correct manifest errors

in the general laws" (Int. No. 1202), having been announced for a second reading,

On motion of Mr. Keck, said bill was amended as follows.

Insert after section 75 a new section, to be known as section 75a, to read as follows:

"§ 75a. The line after section 176 of chapter 332 of the Laws of 1893, which now reads 'Article VIII' is amended to read 'Article VII.'"

After section 82 of said bill insert two new sections to be known respectively as sections 82a and 82b to read as follows:

"§ 82a. The line immediately following the title to section 153 in the schedule of sections to article 8 of the public health law which now reads 'Definitions as used in this article' is amended to read:"

"§ 140. Definitions, as used in this article and the subsequent sections of said article which are now numbered from 140 to 153 inclusive, are hereby renumbered respectively 141 to 154 inclusive."

"§ 82b. Before the line in the schedule of sections to article 8 of the public health law which now reads 'Section 140. Qualifications' a new line is hereby inserted to read as follows: 'Section 140. Definitions' and the sections now numbered from 140 to 153 inclusive, are hereby numbered from 141 to 154 inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time.

On motion of Mr. Keck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1482) entitled "An act in relation to the village of Fredonia" (Int. No. 1148), having been announced for a second reading,

Mr. C. W. Terry moved to amend said bill as follows:

Page 2, line 7, after the word "possession" insert the word "of."

Same page, line 23, change the word "freeholders" to "freeholders."

Page 3, insert at the end of section 4 the following: "The clerk of said village shall keep a poll-list of the votes given at every election; and one ballot box shall be provided by the inspectors, and each ballot box shall contain the names of all the persons voted for by any elector, on one piece of paper."

Same page, line 19, strike out the words "present to every such annual town meeting" and insert the words "publish in one or more newspapers published in said village at least one week before each annual election."

Page 10, line 24, insert a semicolon after the word "require," and insert the words "and to impose penalties as provided by

this section for the violation of such regulations whether made by the trustees or the fire-wardens."

Page 15, before the word "said" insert the words "or owned by."

Page 33, after the word "shall" insert the words "relay its track in the center of the street so far as the same is to be paved or macadamized, and shall."

Page 43, line 22, insert a period after the word "necessary."

Page 50, strike out all of section 1 after the word "thereof" in line 16.

Page 51, line 5, after the word "sewer," first occurring, insert the words "and including the whole length thereof, if continuous, whether located upon one or upon different streets."

Page 56, line 6, after the word "rents" change the semicolon to a period and insert the words "Said rents shall be made as nearly equitable between consumers as is practicable, and consumers of water for use in elevators, motors or boilers, whose annual rent for such use is over twenty dollars, may on demand have their rent readjusted for the year according to the quantity of water used at the established rate for all such consumers per thousand gallons," and strike out the word "and" and begin the next word with a capital letter.

Page 59, line 13, before the word "at" insert the word "members."

Page 65, line 12, before the word "provided" insert the words "and said trustees may also sell and convey real estate owned by the village."

Same page, line 13, after the word "assessment" insert the words "or sales."

Page 66, line 15, change the word "repeoled" to the word "repealed."

Page 62, line 8, after the word "purpose" insert the words "The trustees of said village may also cause to be raised and collected in each year a sum not exceeding four thousand dollars upon the assessed valuation of the real and personal property of said village, as shown by the village assessment roll, until the indebtedness of twelve thousand dollars incurred pursuant to chapter 84 of the Laws of 1891, for an electric light system, with all accrued interest thereon be fully paid."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time.

On motion of Mr. C. W. Terry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1481) entitled "An act to incorporate the Niagara, Lockport and Ontario Power Company" (Int. No. 1073), having been announced for a second reading,

On request of Mr. J. H. Clark, said bill was laid aside.

The bill (No. 1539) entitled "An act to authorize the rebuilding of a bridge over Newtown creek at Maspeth avenue, by the counties of Kings and Queens, and providing the means therefor" (Int. No. 691), was read the second time.

On motion of Mr. Fairbrother, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1529) entitled "An act to amend section 1 of chapter 275 of the Laws of 1892, entitled 'An act to create a department of buildings in the city of New York, and to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in so far as the same relates to the fire and building departments of said city, and by adding a new section thereto, creating a bureau to be known as the bureau of fire-alarm, telegraph and electrical appliances, in relation to the salary to be paid the superintendent of buildings" (Int. No. 1012), having been announced for a second reading,

On motion of Mr. Herrman, said bill was amended as follows:

Page 2, lines 22 and 23, strike out the words "of \$7,500 per annum," and insert the words "of not less than 5,000 nor more than \$7,500 per annum, to be fixed by the board of estimate and apportionment, and in their discretion."

Said bill, as amended, was then read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1540) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (Int. No. 589), was read the second time.

On motion of Mr. Berry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1531) entitled "An act in relation to the exemption of real property of religious and educational corporations and associations, and public schools in the village of White Plains, Westchester county, from assessment for the construction of sewers" (Int. No. 997), having been announced for a second reading,

On request of Mr. Chambers, said bill was laid aside.

The bill (No. 1532) entitled "An act to amend chapter 248 of the Laws of 1875, entitled 'An act in relation to the coroners'

office and post-mortem examiners'" (Int. No. 1199), was read the second time.

On motion of Mr. Braun, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1533) entitled "An act to amend the railroad law" (Int. No. 1084), was read the second time.

On motion of Mr. Matthews, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1535) entitled "An act to amend an act entitled 'An act to establish a Code of Criminal Procedure,' passed June 1, 1881, and the acts amendatory thereof" (Int. No. 974), was read the second time.

On motion of Mr. Stein, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1536) entitled "An act to amend chapter 637 of the Laws of 1892, entitled 'An act to provide for the establishment of a reformatory for women,' and making an appropriation therefor" (Int. No. 934), was read the second time.

On motion of Mr. Harrigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1537) entitled "An act authorizing the construction of an iron bridge over the Champlain canal at North street, in the village of Mechanicville, Saratoga county, and abutments and approaches thereto, and making an appropriation therefor" (Int. No. 152), was read the second time.

On motion of Mr. J. F. Terry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1538) entitled "An act making an appropriation for building a vertical wall on the berme side of the Erie canal, in the city of Utica, between Gilbert street, in the city of Utica, and the Turner street bridge in said city of Utica" (Int. No. 796), was read the second time.

On motion of Mr. Hoeffler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1543) entitled "An act to open a certain part of State street, in the city of Brooklyn, as laid down on the commissioners' map of said city, from the westerly side of Furman street to the river, and in relation to the improvements of said street" (Int. No. 1213), was read the second time.

On motion of Mr. Cahill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1545) entitled "An act to amend section 537 of chapter 492 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relating to the powers and duties of the health department of the city of New York'" (Int. No. 1225), was read the second time.

On motion of Mr. Davidson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1544) entitled "An act to amend section 699 of the Penal Code, in relation to criminal charges against children" (Int. No. 620) was read the second time.

On motion of Mr. Burtis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1542) entitled "An act to amend the election law, in relation to primaries" (Int. No. 1366), having been announced for a second reading,

On request of Mr. Thornton, said bill was laid aside.

The bill (No. 1471) entitled "An act to amend chapter 523 of the Laws of 1890, chapter 315 of the Laws of 1891 and chapter 418 of the Laws of 1892, being acts in relation to the sheriff of the city and county of New York, and amendments thereto" (Int. No. 360), was read the second time.

On motion of Mr. Mitnacht, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1501) entitled "An act to release from assessments heretofore levied on certain real estate of Saint John's Methodist Episcopal Church in the city of New York" (Int. No. 1300), was read the second time.

On motion of Mr. Lawson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1575) entitled "An act to amend section 5 of chapter 447 of the Laws of 1892, entitled 'An act to amend chapter 366 of the Laws of 1878, entitled 'An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church'" (Int. No. 1336), having been announced for a second reading,

On motion of Mr. Burtis, said bill was amended by substituting the following therefor :

AN Act to authorize religious corporations organized under the provisions of chapter 60 of the Laws of 1813, or of any acts amendatory thereof or supplementary thereto, or under any special act or charter, to convey their property to the Brooklyn Church Society of the Methodist Episcopal Church.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. Any religious corporation now or hereafter organized and existing under and pursuant to the provisions of chapter 60 of the Laws of 1813, or of any act or acts amendatory thereof or supplementary thereto, or organized and existing under any special act or charter, is hereby empowered to transfer and convey all or any part of the real or personal property of said corporation to the Brooklyn Church Society of the Methodist Episcopal Church.

§ 2. Such transfer and conveyance shall be by deed of conveyance, executed in the name and under the seal of such religious corporation by its board of trustees.

§ 3. Nothing in this act contained shall in any manner affect any action or legal proceeding now pending.

§ 4. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 5. This act shall take effect immediately.

Said bill, as amended, was then read the second time.

On motion of Mr. Burtis, said bill was placed on the order of third reading and ordered reprinted.

The bill (No. 285) entitled "An act to provide means for constructing and repairing ditches for carrying off the back water from the lands in the town of Wheatfield, in the county of Niagara, occasioned by the erection of the State dam for canal purposes across the Tonawanda creek near its mouth, in the village of Tonawanda" (Int. No. 281), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Donnell	Southworth
Babcock	Dinkelspiel	Houghton	O'Grady	Stadtfeld
Baker	Dowling	Howe	Parkhurst	Stein
Berry	Eldredge	Keck	Porter	Stewart

Braun	Fairbrother	Keleher	Prescott	Stone
Brownell	Finnigan	Kelsey	Rider, J.J.	Sulzer
Burtis	Fish	Kerr	Robbins	Taylor
Bush	Foley	Kern	Robertson	Terry, C.W.
Cahill	Friday	Kneeland	Robinson	Thompson
Callahan	Fuller	Lawson	Robson	Thornton
Carroll	Gardiner	Lee	Ryder, E.L.	Tilton
Chambers	Gerst	Lounsbury	Scanlon	Trainor
Chapman	Glenn	Loonan	Schillinger	Tuttle
Clark, F.E.	Gould	Marrin	Schoepflin	Van Amber
Clark, J. H.	Gray	Matthews	Schulz, H	Vehslage
Conklin	Herrman	McDermott	Sheffield	Wells
Coughlin	Higbie	McKeon	Sherwood	Wieman
Cutler	Hobbie	Melody	Smith, M.F.	Wray
Davidson	Hoefler	Messiter	Smith, S.W.	Wyckoff
Dean	Horton	Myers		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1261) entitled "An act to amend chapter 161 of the Laws of 1889, entitled 'An act in relation to local improvements in the town of Flatbush, and the acquisition of the rights of a plank road company in said town'" (Int. No. 1105), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	Parkhurst	Stein
Babcock	Eldredge	Keck	Porter	Stewart
Baker	Fairbrother	Keleher	Prescott	Stone
Berry	Finnigan	Kelsey	Rider, J.J.	Sulzer
Braun	Fish	Kerr	Robbins	Taylor
Brownell	Foley	Kern	Robertson	Terry, C.W.
Burtis	Friday	Kneeland	Robson	Terry, J.F.
Bush	Fuller	Lawson	Ryder, E.L.	Thompson
Cahill	Gardiner	Lee	Scanlon	Thornton
Carroll	Gerst	Lounsbury	Schillinger	Tilton
Chambers	Glenn	Marrin	Schoepflin	Trainor
Clark, F.E.	Gould	Matthews	Schulz, H	Tuttle
Clark, J. H.	Gray	McDermott	Sheffield	Vacheron
Conklin	Herrman	McNamee	Sherwood	Van Amber

Corrigan	Higbie	Melody	Smith, M.F.	Vehslage
Cutler	Hobbie	Messiter	Smith, S.W.	Wells
Davidson	Hoefer	Mittnacht	Snyder	Wieman
Dean	Hotaling	Myers	Southworth	Wray
Denniston	Houghton	O'Grady	Stadtfeld	

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1537) entitled "An act authorizing the construction of an iron bridge over the Champlain canal at North street, in the village of Mechanicville, Saratoga county, and abutments and approaches thereto," and making an appropriation therefor" (Int. No. 152), reported the same without recommendation.

The bill (No. 1423) entitled "An act to correct manifest errors in chapters 66 and 67 of the Laws of 1894, relating to the village of Lansingburgh" (Int. No. 1139), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Rider, J.J.	Stewart
Babcock	Finnigan	Kerr	Robbins	Stone
Baker	Fish	Kern	Robertson	Sulzer
Braun	Friday	Kneeland	Robinson	Taylor
Brownell	Fuller	Lawson	Robson	Terry, C.W.
Burtis	Gardiner	Lee	Ryder, E.L.	Terry, J.F.
Bush	Gerst	Lounsbury	Scanlon	Thompson
Cain	Glenn	Loonan	Schoepflin	Thornton
Carroll	Gould	Matthews	Schulz, H	Tuttle
Cassin	Gray	McDermott	Seibert	Vacheron
Chambers	Higbie	Melody	Sheffield	Van Amber
Clark, F.E.	Hobbie	Messiter	Sherwood	Vehslage
Clark, J. H.	Hoefer	Mittnacht	Smith, M.F.	Wells
Conklin	Horton	Myers	Smith, S.W.	Whittet
Coughlin	Hotaling	O'Donnell	Snyder	Wieman
Cutler	Houghton	Parkhurst	Stadtfeld	Wilcox
Davidson	Howe	Porter	Stein	Wyckoff
Denniston	Keck			

Those who voted in the negative, were

Dowling	Keleher	Kerrigan
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1158) entitled "An act to provide for the payment of an allowance to families of firemen killed or fatally injured in the discharge of their duties" (Int. No. 1024), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	1	}

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Mittnacht	Smith, S.W.
Babcock	Denniston	Hotaling	Myers	Snyder
Baker	Dinkelspiel	Houghton	O'Donnell	Stadtfeld
Berry	Eldredge	Howe	O'Grady	Stein
Braun	Fairbrother	Hoysradt	Porter	Stevens
Brownell	Finnigan	Keenan	Prescott	Stone
Burtis	Fish	Kelsey	Rider, J.J.	Terry, C.W.
Bush	Friday	Kerr	Robbins	Terry, J.F.
Butts	Fuller	Kern	Robertson	Thompson
Carroll	Gardiner	Kerrigan	Robinson	Thornton
Chambers	Gerst	Kneeland	Ryder, E.L.	Trainor
Chapman	Gleason	Lawson	Scanlon	Tuttle
Clark, F.E.	Glenn	Lee	Schillinger	Vacheron
Clark, J. H.	Gould	Lounsbury	Schoepflin	Van Amber
Conklin	Gray	Loonan	Schulz, H	Wells
Corrigan	Herrman	Matthews	Selbert	Wieman
Coughlin	Higbie	McDermott	Sheffield	Wilcox
Cutler	Hobbie	McKeon	Sherwood	Wyckoff
Davidson	Hoefler	Messiter	Smith, M.F.	

In the negative,

Dowling

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bills :

"An act to amend chapter 665 of the Laws of 1893, entitled 'An act to authorize the construction and maintenance of a bridge across the Albany basin' " (No. 862, Rec. No. 324), which was read the first time and referred to the committee on railroads.

"An act to amend chapter 600 of the Laws of 1893, entitled 'An act to reduce, confirm and levy certain assessments in the

city of Albany, to provide for the payment thereof, and in relation to certain sales thereunder" (No. 763, Rec. No. 322), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the city of Albany to borrow money and issue bonds for the purchase or building of a garbage crematory for the use of said city" (No. 934, Rec. No. 323), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 383 of the Laws of 1877, entitled 'An act to amend chapter 571 of the Laws of 1866, entitled An act to incorporate the Brooklyn Trust Company' " (No. 321, Rec. No. 341), which was read the first time and referred to the committee on general laws.

"An act to amend chapter 576 of the Laws of 1893, entitled 'An act relative to the water-works department of the city of Troy, and to provide for an increased supply of water in said city' " (No. 938, Rec. No. 338), which was read the first time and referred to the committee on affairs of cities.

"An act in relation to immatured debts owing by insolvent debtors" (No. 127, Rec. No. 337), which was read the first time and referred to the committee on the judiciary.

"An act to amend the legislative law " (No. 864, Rec. No. 335), which was read the first time and referred to the committee on the judiciary.

"An act to provide for the compulsory education of children " (No. 873, Rec. No. 320), which was read the first time and referred to the committee on public education.

"An act to reappropriate money for the erection of a State armory in the city of Cohoes as provided in chapter 377, of the Laws of 1888 and as reappropriated by chapter 75 of the Laws of 1890, and as reappropriate by chapter 464 of the Laws of 1892, with an additional appropriation" (No. 937, Rec. No. 300), which was read the first time, and referred to the committee on ways and means.

"An act authorizing and requiring the commissioner of public works of the city of New York to construct an archway, tunnel, passageway or roadway for carriages and pedestrians under the old Croton aqueduct in the Twenty-fourth ward of the city of New York, on the line of Burnside avenue as now laid out,

opened and partially constructed" (No. 751, Rec. No. 327), which was read the first time and referred to the committee on affairs of cities.

"An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of W. W. Brinkerhoff against the State and to make an award therefor" (No. 818, Rec. No. 321), which was read the first time and referred to the committee on claims.

"An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport'" (No. 874, Rec. No. 319), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (No. 839, Rec. No. 318), which was read the first time and referred to the committee on banks.

"An act to authorize the completion of repairs to the State dam across the Mohawk river at Cohoes and making an appropriation therefor" (No. 781, Rec. No. 317), which was read the first time and referred to the committee on ways and means.

"An act to incorporate the Home Church Extension Board, of Onondaga Conference Methodist Protestant Church" (No. 929, Rec. No. 313), which was read the first time and referred to the committee on charitable and religious societies.

"An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of school houses and the payment of debts contracted for the purchase of land for school purposes" (No. 905, Rec. No. 315), which was read the first time and referred to the committee on affairs of cities.

"An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse,' and to revise and amend the charter of the said city" (No. 906, Rec. No. 314), which was read the first time and referred to the committee on affairs of cities.

"An act to enable 'the board of church extension of the Methodist Episcopal Church' to take, hold and convey property in the State of New York" (No. 775, Rec. No. 313), which was read the first time and referred to the committee on charitable and religious societies.

"An act to amend chapter 565 of the Laws of 1890, entitled

'An act in relation to railroads, constituting chapter 39 of the general laws' " (No. 565, Rec. No. 312), which was read the first time and referred to the committee on railroads.

"An act to authorize the village of Hamilton and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burying ground in said village " (No. 904, Rec. No. 311), which was read the first time and referred to the committee on affairs of villages.

"An act to provide for cleaning the Madison brook feeder, Lebanon feeder and Summit level of the Chenango canal, and for repairing the bulkheads, waste-weirs and bridges thereon " (No. 399, Rec. No. 310), which was read the first time and referred to the committee on ways and means.

"An act conferring jurisdiction in the Board of Claims to hear and determine the claim of John Bray for injuries sustained by him at the hands of a convict at Auburn State prison, while on duty as a keeper in said prison " (No. 684, Rec. No. 309), which was read the first time and referred to the committee on claims.

"An act to amend the Penal Code, relating to rape " (No. 847, Rec. No. 307), which was read the first time and referred to the committee on codes.

"An act to amend section 4 of chapter 4 of the Laws of 1891, excepting certain parks and streets from route for an elevated railroad " (No. 631, Rec. No. 339), which was read the first time and referred to the committee on railroads.

"An act providing for local improvements in the town of New Utrecht, and to establish a fund and lay assessments for the expense thereof " (No. 936, Rec. No. 343), which was read the first time and referred to the committee on internal affairs.

"An act to provide for the annexation to the city of Brooklyn of the town of New Utrecht " (No. 935, Rec. No. 342), which was read the first time and referred to the committee on affairs of cities.

"An act making a reappropriation for the erection of a State armory in the city of Utica " (No. 933, Rec. No. 301), which was read the first time and referred to the committee on ways and means.

"An act to authorize the city of Mount Vernon, Westchester county, to acquire and complete a system of water-works to supply said city with pure and wholesome water, and to issue the

bonds of said city in payment therefor" (No. 907, Rec. No. 305), which was read the first time and referred to the committee on affairs of cities.

"An act to amend title 10 of part 6 of the Code of Criminal Procedure, in relation to criminal statistics, and to repeal section 1592 of chapter 410 of the Laws of 1882." (No. 618, Rec. No. 340.)

On motion of Mr. Burtis, said bill was substituted for Assembly bill No. 1011, Int. No. 927, same title and subject, now on the order of third reading.

"An act to provide factory inspectors and deputy factory inspectors with badges." (No. 863, Rec. No. 336.)

On motion of Mr. Sulzer, the same was substituted for Assembly bill No. 1427, Int. No. 1247, same title and subject, now on the order of third reading.

"An act to amend chapter 256 of the Laws of 1888, entitled 'An act to prevent the use of certain parks and streets in the city of New York for railroads.'" (No. 931, Rec. No. 326.)

On motion of Mr. Lawson, said bill was substituted for Assembly bill No. 1603, Int. No. 1301, same subject and title, now on the order of second reading.

"An act to amend chapter 105 of the Laws of 1892, entitled 'An act to revise the charter of the city of Buffalo'" (No. 680, Rec. No. 334), which was read the first time and referred to the committee on affairs of cities.

"An act to provide for the completion of the armory for the Thirteenth Regiment in the city of Brooklyn" (No. 900, Rec. No. 329), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter 553 of the Laws of 1885, entitled 'An act to incorporate The Citizens' Loan Agency and Guarantee Company'" (not printed, Rec. No. 306), which was read the first time.

On motion of Mr. Sulzer, and by unanimous consent, said bill was read the second time, placed on the order of third reading and referred to the committee on the judiciary.

The privileges of the floor were extended to Hon. James L. Wells, a former member of this house.

The hour of 6.30 o'clock having arrived,

Mr. Speaker declared the House adjourned to meet at 10 o'clock A. M. to-morrow.

WEDNESDAY, APRIL 11, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forrest Hallenbeck.

On motion of Mr. Dean, the journal of yesterday was approved without being read.

The Senate returned the bill (not printed), entitled "An act in relation to the public lands, constituting chapter 11 of the general laws" (Int. No. 1398), with a message that they have concurred in the passage of the same, without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Lee introduced a bill entitled "An act to amend chapter 342 of the Laws of 1889, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Cortland, and to repeal certain acts and parts of acts'" (Int. No. 1464). which was read the first time.

Mr. Lee asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keenan	Plant	Stewart
Baker	Fairbrother	Keleher	Porter	Stone
Berry	Fish	Kelsey	Prescott	Sulzer
Braun	Foley	Kern	Robbins	Taylor
Brennan	Friday	Kneeland	Robertson	Terry, G.W.
Burtis	Gardiner	Lawson	Robson	Thompson
Cahill	Gerst	Lee	Roche	Thornton
Callahan	Glenn	Lounsbury	Ryder, E.L.	Tobin
Chambers	Gould	Marrin	Schillinger	Tuttle
Clark, J. H.	Harrigan	Matthews	Schoepflin	Van Amber
Conklin	Herrman	McDermott	Schulz, F.F.	Vehslage

Corrigan	Hobbie	McKeon	Seibert	Wells
Cutler	Hoefler	Messiter	Sheffield	Whittet
Dean	Horton	Mittnacht	Sherwood	Wilcox
Denniston	Houghton	O'Donnell	Smith, M.F.	Wray
Dinkelspiel	Howe	O'Grady	Smith, S.W.	Wyckoff
Dowling	Keck	Parkhurst	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Roche introduced a bill entitled "An act to amend chapter 371 of the Laws of 1885, entitled 'An act relating to Fifth avenue, in the city of New York'" (Int. No. 1467), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Keck introduced a bill entitled "An act to authorize the village of Johnstown, in the county of Fulton, to issue and to sell bonds of the said village, and use the proceeds thereof to pay its existing indebtedness" (Int. No. 1469), which was read the first time.

Mr. Keck asked unanimous consent that said bill do now have its second reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second time, placed on the order of third reading and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Butts introduced a bill entitled "An act to change the name of the Home Benefit Society" (Int. No. 1468), which was read the first time.

On motion of Mr. Butts, and by unanimous consent, said bill was read the second time, placed on the order of third reading and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Kneeland introduced a bill entitled "An act to amend section 65 of part 2, chapter 1, title 2, article 2 of the Revised Statutes, being in relation to uses and trusts" (Int. No. 1465), which was read the first time and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend section 1384 of the Code of Civil Procedure, relating to executions" (Int. No. 1466), which was read the first time and referred to the committee on codes.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Davidson, Int. No. 785, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to district courts," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Coughlin, Int. No. 792, entitled "An act for the release of any interest of the State in certain lands in the city of Buffalo to Henry Koons," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Harrigan, Int. No. 1124, entitled "An act in relation to proceedings for the voluntary dissolution of corporations, and providing for relief from defects and omissions therein," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Schoepflin, Int. No. 1427, entitled "An act in relation to canal boat mortgages," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Porter, Int. No. 1460, entitled "An act to amend chapter 348 of the Laws of 1893, entitled 'An act to establish an institution for the care and custody of unteachable idiots,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 344, entitled "An act to amend chapter 135 of the Laws of 1894,

entitled 'An act in relation to funds and property formerly in the custody of the Court of Chancery,' reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Seibert, Int. No. 701, entitled "An act to make the office of the clerk of the superior court of Buffalo a salaried office and regulating the management of said office," reported in favor of the passage of the following substitute therefor:

AN ACT to make the office of the clerk of the superior court of Buffalo, a salaried office, and regulating the management of said office.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. From and after the first day of June, eighteen hundred and ninety-four, the clerk of the superior court of Buffalo, now in office, and thereafter appointed, shall receive as compensation for his services, an annual salary to be fixed by the common council of the city of Buffalo, by ordinance not to exceed the sum of four thousand dollars, which salary shall constitute the whole compensation, which shall be allowed or paid to or received by said clerk for all official services performed by him for the state, county, city of Buffalo, and for individuals, or which he shall be required or authorized by law to perform by virtue of his office, as such clerk. It shall be the duty of said clerk to perform all services which he is or shall be required or authorized by law to perform by virtue of, or by reason of his holding said office, including his duties as clerk of every court of which he is or shall be clerk, and no compensation, payment or allowance shall be made to him for his own use, for any of such services, except the salary to be fixed by the common council as aforesaid.

§ 2. From and after the first day of June, eighteen hundred and ninety-four, all the fees, emoluments and perquisites, which such clerk shall charge or receive, or which he shall legally be authorized, required or entitled to charge or to receive, shall belong to the city of Buffalo. It shall be his duty to exact, collect and receive the full amount allowed by law, of all such fees, emoluments and perquisites, for said city, and said clerk shall require payment for all services rendered by him or his assistants, in his or their official capacity, by virtue of any law of this state, as soon as the amount chargeable therefor can be ascertained, and before such service shall be completed.

§ 3. Such clerk shall keep in his office in a proper book or books

to be provided for that purpose at the expense of said city, an exact and true account of all official services performed by him or his assistants, and of all fees, perquisites and emoluments received or chargeable by him or them pursuant to law; said book or books shall show when and for what every service shall have been performed, its nature and the fee chargeable therefor, and shall at all times, during office hours be open to the inspection, without fee or charge therefor, of all persons desiring to examine the same, and shall constitute a part of the records of said office.

§ 4. Such clerk shall transmit to the treasurer of the city of Buffalo, for each calendar month, and within five days from the expiration thereof, a statement of all monies received each day by him or his assistants for fees, perquisites and emoluments, for all services rendered by him or them, in his or their official capacity, and all such services classified as far as possible, and shall also show the total receipts for said month. Every such statement shall have attached thereto an affidavit of said clerk in effect, that the same is in all respects a full and true statement, as herein required, which affidavit shall be positive and not upon information and belief.

§ 5. At the time of rendering every such statement, such clerk shall pay over to the treasurer of the city of Buffalo, for the benefit of said city, the whole amount of the moneys so received by him, since making the last preceding monthly statement.

§ 6. The clerk of the superior court of Buffalo now in office shall, within ten days from the first day of June, eighteen hundred and ninety-four, and any clerk hereafter appointed, before entering upon the duties of said office, execute to the people of this state and file with the treasurer of said city a bond in the penal sum of ten thousand dollars, with two sureties; said bond shall be conditioned that said clerk shall well and faithfully discharge all the duties of his office, and all trusts imposed on him by law, or by virtue of his office, and shall safely keep and pay over to said city treasurer, as hereinbefore provided, all moneys which shall come into his hands. Said bond shall be approved as to its form, and the sufficiency of the sureties by the mayor of the city of Buffalo, and one of the judges of said superior court of Buffalo, and whenever the common council of said city shall require such bond to be renewed, it shall be renewed and filed as aforesaid, within twenty days after the principal therein named shall be notified of such requirements, and if any such clerk shall neglect for thirty days to execute, renew or file any such bond according to the provisions of this act, his office shall thereupon become vacant.

§ 7. The clerk of the superior court of Buffalo shall appoint some proper person as deputy clerk of said court, who shall hold

his office during the pleasure of the clerk of said court, and as often as such deputy clerk shall die, resign or be removed from office, or remove from the city of Buffalo, or become incapable of executing the duties of said office, the said clerk shall appoint another deputy clerk in his place. The deputy clerk shall receive an annual salary, not to exceed two thousand dollars, to be fixed by the common council of the city of Buffalo by ordinance.

§ 8. The clerk of said superior court of Buffalo shall also appoint such number of suitable persons as special deputy clerks of said court, not exceeding three, as a majority of the judges of said court shall in writing determine, who shall hold their office in the same manner and subject to the same restriction as to removal, as the deputy clerk of said court, and whose salaries shall be fixed by the common council of the city of Buffalo, by ordinance, at not to exceed twelve hundred dollars.

§ 9. Within ten days from the passage of this act, the common council of the city of Buffalo shall fix the salaries of the clerk of said court, his deputy clerk and special deputy clerks, provided for in this act, and the salaries so fixed shall be paid by the city of Buffalo in monthly payments.

§ 10. Any officer referred to in this act who shall receive to his own use or neglect to account for any fees, perquisites or emoluments by this act declared to belong to and be for the benefit of the city of Buffalo, or who shall neglect to render to the said city treasurer an account of the fees received at his office, or to pay over the same as herein required, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than five thousand dollars, or imprisonment in the penitentiary for a period not exceeding one year, or both, at the discretion of the court before whom such officer may be convicted, and shall be liable to said city in a civil action for all moneys so received and not accounted for, and paid over to the treasurer of said city, pursuant to the requirements of this act.

§ 11. All acts or parts of acts inconsistent herewith are hereby repealed.

HOWARD THORNTON,

Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of second reading.

The Senate bill (No. 618) entitled "An act to amend title 10 of part 6 of the Code of Criminal Procedure, in relation to criminal statistics, and to repeal section 1592 of chapter 410 of the Laws of 1882" (Rec. No. 340), was read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 98 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	O'Grady	Stein
Babcock	Eldredge	Keleher	Plant	Stevens
Baker	Fairbrother	Kelsey	Porter	Stewart
Braun	Fish	Kerr	Prescott	Stone
Brennan	Friday	Kern	Reilly	Sulzer
Brownell	Fuller	Kerrigan	Robbins	Taylor
Burtis	Gardiner	Kneeland	Robertson	Terry, C.W.
Cahill	Gerst	Lasch	Robson	Terry, J.F.
Callahan	Gleason	Lawson	Roche	Thornton
Carroll	Glenn	Lee	Ryder, E.L.	Tilton
Casoin	Gould	Lounsbury	Schillinger	Tobin
Chambers	Gray	Loonan	Schoepflin	Trainor
Clark, J. H.	Herrman	Marrin	Schulz, F.F.	Vacheron
Conklin	Higbie	Matthews	Seibert	Van Amber
Coughlin	Hobbie	McDermott	Sheffield	Vehslage
Cutler	Hoefer	McKeon	Sherwood	Whittet
Dayidson	Horton	McNamee	Smith, M.F.	Wilcox
Dean	Hotaling	Messiter	Snyder	Wray
Denniston	Howe	Mitnacht	Stadtfeld	Wyckoff
Dinkelspiel	Hoysradt	O'Donnell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1411) entitled "An act to lay out and establish Fort Washington park in the Twelfth ward in the city of New York" (Int. No. 943), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 97 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keeran	O'Grady	Southworth
Babcock	Dowling	Keleher	Parkhurst	Stadtfeld
Baker	Eldredge	Kelsey	Porter	Stein
Braun	Fairbrother	Kerr	Prescott	Stewart

Brennan	Finnigan	Kern	Reilly	Stone
Brownell	Fish	Kneeland	Rider, J.J.	Sulzer
Burtis	Foley	Lasch	Robbins	Taylor
Butts	Fuller	Lawson	Robinson	Terry, C.W.
Cain	Gardiner	Lee	Robson	Terry, J.F.
Callahan	Gerst	Lounsbury	Roche	Thornton
Carroll	Glenn	Loonan	Ryder, E.L.	Tilton
Chapman	Gould	Marrin	Scanlon	Tobin
Clark, J. H.	Harrigan	Matthews	Schoepflin	Trainor
Conklin	Herrman	McDermott	Schulz, F.F.	Vacheron
Corrigan	Higbie	McKeon	Seibert	Van Amber
Coughlin	Hobbie	Melody	Sheffield	Wells
Cutler	Hoefler	Messiter	Sherwood	Wieman
Davidson	Hotaling	Mittnacht	Smith, M.F.	Wilcox
Dean	Howe	Myers	Smith, S.W.	Wyckoff
Denniston	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1422) entitled "An act to authorize the Board of Claims to hear, audit and determine claims for military uniforms for the National Guard of the State of New York, and to make an award therefor" (Int. No. 751), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keenan	Plant	Stein
Babcock	Eldredge	Keleher	Porter	Stevens
Baker	Fairbrother	Kelsey	Prescott	Stewart
Braun	Fish	Kerr	Rider, J.J.	Stone
Brennan	Foley	Kern	Robbins	Sulzer
Brownell	Friday	Kneeland	Robinson	Taylor
Burtis	Gardiner	Lawson	Robson	Terry, J.F.
Bush	Gerst	Lee	Roche	Thompson
Butts	Glenn	Lounsbury	Ryder, E.L.	Thornton
Carroll	Gould	Loonan	Schillinger	Tilton
Chambers	Gray	Marrin	Schoepflin	Tobin
Clark, J. H.	Herrman	Matthews	Schulz, F.F.	Tuttle
Conklin	Higbie	McKeon	Seibert	Van Amber
Corrigan	Hobbie	McNamee	Sheffield	Vehslage
Coughlin	Hoefler	Messiter	Smith, M.F.	Wells

Davidson	Hotaling	Mittnacht	Smith, S.W.	Whittet
Dean	Howe	Myers	Southworth	Wilcox
Denniston	Keck	O'Grady	Stadtfield	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 372) entitled "An act to amend the Code of Civil Procedure, relative to claims against estates of decedents" (Int. No. 364), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kerr	Plant	Stadtfield
Baker	Foley	Kern	Porter	Stein
Braun	Friday	Kerrigan	Reilly	Stewart
Brownell	Gardiner	Kneeland	Rider, J.J.	Stone
Burtis	Gerst	Lawson	Robbins	Sulzer
Butts	Gleason	Lee	Robinson	Taylor
Cain	Glenn	Lounsbury	Robson	Terry, C.W.
Carroll	Gould	Loonan	Roche	Terry, J.F.
Cassin	Harrigan	Marrin	Ryder, E.L.	Thompson
Chambers	Herrman	Matthews	Seanlon	Tilton
Clark, J. H.	Higbie	McKeon	Schoepflin	Tobin
Conklin	Hobbie	McNamee	Schulz, F.F.	Tuttle
Corrigan	Hoefer	Melody	Seibert	Vacheron
Coughlin	Hotaling	Messiter	Sheffield	Vehslage
Davidson	Howe	Mittnacht	Sherwood	Wells
Dean	Keck	Myers	Smith, M.F.	Whittet
Denniston	Keenan	O'Donnell	Snyder	Wilcox
Dowling	Keleher	O'Grady	Southworth	Wray
Eldredge	Kelsey			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 537) entitled "An act to amend an act entitled 'An act to incorporate the Port Jervis Water Works Company,' passed May 8, 1868" (Rec. No. 333), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 91 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Myers	Smith, M.F.
Babcock	Dinkelspiel	Keck	O'Donnell	Snyder
Baker	Dowling	Keenan	O'Grady	Stadtfeld
Berry	Eldredge	Keleher	Plant	Stein
Braun	Fairbrother	Kelsey	Porter	Stewart
Brownell	Finnigan	Kerr	Prescott	Sulzer
Burtis	Fish	Kern	Rider, J.J.	Taylor
Butts	Foley	Kneeland	Robbins	Terry, J.F.
Cain	Fuller	Lawson	Robertson	Thompson
Callahan	Gardiner	Lee	Robinson	Tilton
Cassin	Gleason	Lounsbury	Robson	Tobin
Chambers	Glenn	Loonan	Roche	Tuttle
Clark, J. H.	Gray	Marrin	Ryder, E.L.	Vacheron
Conklin	Herrman	Matthews	Scanlon	Vehslage
Corrigan	Higbie	McKeon	Schoepflin	Wells
Coughlin	Hobbie	McNamee	Schulz, F.F.	Whittet
Cutler	Hoefer	Messiter	Seibert	Wilcox
Davidson	Houghton	Mittnacht	Sherwood	Wray
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1404) entitled "An act to amend chapter 207 of the Laws of 1851, entitled 'An act declaring Moose river a public highway'" (Int No. 1066), having been announced for a third reading,

On motion of Mr. Van Amber, said bill was laid aside.

The bill (No. 1409) entitled "An act to secure independence of voters at town meetings, secrecy of the ballot, and providing for the use of automatic ballot cabinets" (Int. No. 661), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Myers	Snyder
Babcock	Denniston	Hoysradt	O'Donnell	Stadtfeld
Baker	Dinkelspiel	Keck	O'Grady	Stein
Berry	Eldredge	Keleher	Plant	Stevens
Braun	Fairbrother	Kelsey	Porter	Stewart
Brennan	Fish	Kerr	Prescott	Sulzer
Burtis	Foley	Kern	Rider, J.J.	Taylor
Butts	Friday	Kneeland	Robbins	Terry, C.W.
Cahill	Fuller	Lawson	Robertson	Thompson
Callahan	Gardiner	Lee	Robinson	Tilton
Carroll	Gerst	Lounsbury	Roche	Tobin
Cassin	Glenn	Loonan	Ryder, E.L.	Tuttle
Chambers	Gray	Marrin	Scanlon	Vacheron
Clark, F.E.	Herrman	Matthews	Schoepflin	Van Amber
Clark, J. H.	Higbie	McDermott	Schulz, H	Wells
Conklin	Hobbie	McNamee	Seibert	Whittet
Corrigan	Hoefer	Melody	Sheffield	Wilcox
Coughlin	Horton	Messiter	Smith, M.F.	Wray
Davidson	Hotaling	Mitnacht		

In the negative,

Dowling

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 555) entitled "An act to amend section 3 of chapter 347 of the Laws of 1878, entitled 'An act to amend chapter 371 of the Laws of 1875, entitled An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs'" (Int. No. 521), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Houghton	O'Grady	Stadtfeld
Baker	Douglas	Keck	Parkhurst	Stein
Berry	Dowling	Keenan	Plant	Stevens

Braun	Eldredge	Kelcher	Porter	Stewart
Brennan	Fairbrother	Kelsey	Prescott	Stone
Burtis	Finnigan	Kern	Rider, J.J.	Sulzer
Butts	Fish	Kerrigan	Robbins	Taylor
Cain	Foley	Lawson	Robertson	Ferry, C.W.
Callahan	Friday	Lee	Robson	Terry, J.F.
Carroll	Fuller	Lounsbury	Roche	Thompson
Cassin	Gerst	Loonan	Ryder, E.L.	Tilton
Chambers	Glenn	Marrin	Schillinger	Tobin
Clark, J. H.	Gould	Matthews	Schoepflin	Tuttle
Conklin	Gray	McDermott	Schulz, H	Vacheron
Corrigan	Herrman	McKeon	Seibert	Van Amber
Coughlin	Higbie	McNamee	Sheffield	Vehsiage
Cutler	Hobbie	Messiter	Sherwood	Whittet
Davidson	Hoefler	Mitnacht	Smith, M.F.	Wilcox
Dean	Horton	Myers	Smith, S.W.	Wray
Denniston	Hotaling,	O'Donnell	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Wray called from the table the bill (No. 1244) entitled "An act to provide for the selection, laying out, construction and maintenance of a public driveway and parkway, and for the acquisition of riparian rights in connection therewith, in any county of this State which contains a city, the population of which city is in excess of 800,000, and the boundaries of which city are not coterminous with those of said county, and also providing the means of payment thereof, and of maintenance thereof, and creating a department of parks for said county" (Int. No. 1106), previously laid aside on the order of third reading.

On motion of Mr. Wray, said bill was amended as follows:

Page 4, line 11, after the word "amended" insert the words "plan and."

Page 5, line 2, add the letter "s" to the word "object"

Page 7, line 6, strike out the words "payable with" and insert the word "bearing"; also, in same page, same line, after the word "interest" insert the words "at a rate."

Same page, line 13, strike out the words "and interest."

Same page, line 19, after the word "parks" insert the words "and the attorney and counsel of said city."

Page 8, line 12, after the word "official" strike out the semicolon.

Page 9, line 13, after the word "surface" insert the word "depressed."

Same page, line 22, after the word "parkway" insert the

words "including the appurtenances thereto, and any piers, wharves or docks under the control of said department."

Page 7, line 5, strike out the word "the" at the beginning of said line, and insert the word "said," and in the same line strike out the words "of Kings."

Same page, line 16, strike out the word "the" at the end thereof, and insert the word "said."

Same page, line 17, strike out the words "of Kings."

Page 8, line 22, strike out the word "the" and insert the word "said," and on same line, strike out the words "of Kings."

Same page, line 23, strike out the word "the" and insert the word "said," and on same line, strike out the words "of Kings."

Page 9, line 10, strike out the word "the" and insert the word "said," and strike out the words "of Kings."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	Prescott	Stone
Babcock	Fairbrother	Keck	Rider, J.J.	Sulzer
Baker	Fish	Keenan	Robbins	Taylor
Berry	Foley	Keleher	Robertson	Terry, C.W.
Brennan	Friday	Kelsey	Robson	Terry, J.F.
Brownell	Fuller	Kerr	Scanlon	Thompson
Butts	Gardiner	Kern	Schoepflin	Tilton
Cain	Gerst	Lawson	Schulz, F.F.	Trainor
Carroll	Glenn	Lee	Schulz, H	Tuttle
Chambers	Gould	Lounsbury	Seibert	Vacheron
Clark, J. H.	Gray	Loonan	Sheffield	Van Amber
Conklin	Herrman	McDermott	Sherwood	Vehslage
Coughlin	Higbie	McKeon	Smith, M.F.	Wells
Cutler	Hobbie	Melody	Smith, S.W.	Whittet
Davidson	Hoefer	Messiter	Snyder	Wieman
Dean	Horton	O'Grady	Stadtfield	Wilcox
Dinkelspiel	Hotaling	Parkhurst	Stein	Wray
Dowling	Houghton	Porter	Stewart	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (not printed) entitled "An act to facilitate obtaining water from Skaneateles lake for the use of the city of Syracuse and its inhabitants" (Rec. No. 135), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Messiter	Smith, S.W.
Babcock	Denniston	Houghton	Mittnacht	Snyder
Baker	Dinkelspiel	Hoysradt	Myers	Southworth
Berry	Dowling	Keck	O'Donnell	Stadtfeld
Braun	Eldredge	Keleher	Parkhurst	Stein
Brennan	Fairbrother	Kelsey	Plant	Stevens
Brownell	Finnigan	Kerr	Porter	Stone
Burtis	Fish	Kern	Prescott	Sulzer
Butts	Foley	Kerrigan	Rider, J.J.	Taylor
Cain	Friday	Kneeland	Robbins	Terry, C.W.
Callahan	Fuller	Lawson	Robertson	Tilton
Cassin	Gerst	Lee	Robson	Tobin
Chambers	Glenn	Lounsbury	Roche	Trainor
Chapman	Gould	Loonan	Ryder, E.L.	Tuttle
Clark, J. H.	Gray	Marrin	Schillinger	Vacheron
Conklin	Herrman	Matthews	Schoepfin	Van Amber
Corrigan	Higbie	McDermott	Schulz, H	Wells
Cutler	Hobbie	McKeon	Sheffield	Wieman
Davidson	Hoefler	Melody	Sherwood	Wilcox

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1406) entitled "An act authorizing boards of supervisors to appoint commissioners for the equalization of taxes" (Int. No. 976), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	O'Donnell	Snyder
Babcock	Douglas	Keenan	O'Grady	Southworth
Baker	Dowling	Keleher	Parkhurst	Stein
Berry	Eldredge	Kelsey	Plant	Stevens

Braun	Fairbrother	Kerr	Porter	Stewart
Brennan	Fish	Kern	Prescott	Stone
Brownell	Foley	Kerrigan	Rider, J.J.	Sulzer
Butts	Friday	Kneeland	Robbins	Taylor
Cain	Fuller	Lawson	Robertson	Terry, C.W.
Callahan	Gardiner	Lee	Robinson	Thompson
Carroll	Gleason	Lounsbury	Robson	Thornton
Cassin	Glenn	Loonan	Roche	Tilton
Chapman	Gould	Marrin	Scanlon	Trainor
Clark, J. H.	Gray	Matthews	Schoepflin	Tuttle
Conklin	Herrman	McDermott	Schulz, F.F.	Vacheron
Corrigan	Higbie	McNamee	Seibert	Vehslage
Coughlin	Hobbie	Melody	Sheffield	Wells
Davidson	Hoefler	Messiter	Sherwood	Wieman
Dean	Houghton	Mitnacht	Smith, M.F.	Wilcox
Denniston	Howe	Myers	Smith, S.W.	Wray

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 823) entitled "An act to provide for subsistence pay and expenses of light artillery of National Guard, New York" (Int. No. 757), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keenan	Porter	Stein
Babcock	Eldredge	Keleher	Prescott	Stevens
Baker	Fairbrother	Kelsey	Reilly	Stewart
Berry	Finnigan	Kerr	Rider, J.J.	Stone
Braun	Fish	Kern	Robbins	Sulzer
Brownell	Foley	Kerrigan	Robertson	Taylor
Butts	Friday	Lawson	Robson	Terry, C.W.
Cain	Fuller	Lee	Roche	Thompson
Callahan	Gerst	Lounsbury	Ryder, E.L.	Tilton
Cassin	Glenn	Loonan	Scanlon	Tobin
Chambers	Gould	Marrin	Schillinger	Trainor
Clark, J. H.	Harrigan	Matthews	Schoepflin	Tuttle
Conklin	Herrman	McKeon	Schulz, F.F.	Van Amber
Corrigan	Higbie	McNamee	Seibert	Vehslage
Coughlin	Hobbie	Messiter	Sheffield	Wells
Cutler	Hoefler	Mitnacht	Sherwood	Whittet

Davidson	Horton	Myers	Smith, M.F.	Wieman
Dean	Houghton	O'Donnell	Smith, S.W.	Wray
Denniston	Howe	O'Grady	Snyder	Wyckoff
Dinkelspiel	Keck	Parkhurst	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 360) entitled "An act making an appropriation for repairing and reconstructing the State armory and drill-room at Walton, and to provide for the acquisition of additional land, and appointing a commission therefor" (Int. No. 346), having been announced for a third reading,

On motion of Mr. Gould, and by unanimous consent, said bill was amended as follows :

Page 1, line 1, change the word "thirty-two" to the word "twenty."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Parkhurst	Stevens
Babcock	Dinkelspiel	Keck	Porter	Stewart
Baker	Dowling	Keenan	Prescott	Stone
Berry	Eldredge	Keleher	Rider, J.J.	Sulzer
Braun	Fairbrother	Kelsey	Robbins	Taylor
Brownell	Finnigan	Kerr	Robertson	Terry, C.W.
Burtis	Fish	Kern	Robinson	Terry, J.F.
Butts	Foley	Kneeland	Roche	Thompson
Cahill	Friday	Lasch	Ryder, E.L.	Tilton
Cain	Fuller	Lawson	Schillinger	Tobin
Carroll	Gardiner	Lee	Schoepflin	Trainor
Cassin	Gerst	Lounsbury	Schulz, F.F.	Tuttle
Chambers	Glenn	Marrin	Schulz, H	Vacheron
Chapman	Gould	McDermott	Sherwood	Van Amber
Clark, F.E.	Herrman	McKeon	Smith, M.F.	Vehslage
Clark, J. H.	Higbie	McNamee	Smith, S.W.	Wells
Conklin	Hobbie	Messiter	Snyder	Whittet
Corrigan	Hoefler	Mittnacht	Southworth	Wilcox
Cutler	Horton	Myers	Stadtfeld	Wray
Davidson	Hotaling	O'Donnell	Stein	Wyckoff
Dean	Houghton	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1416) entitled "An act creating a commissioner of jurors for counties of the State having a population of 300,000 or more, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in courts of record in such counties; also prescribing the qualifications, exemptions and length of service of such jurors" (Int. No. 1042), having been announced for a third reading,

On motion of Mr. Schoepflin, and by unanimous consent, said bill was amended as follows:

Amend section 5 so as to read as follows:

"§ 5. The commissioner shall receive a salary or compensation fixed by the said judges, payable monthly by the county. He may appoint and at pleasure remove an assistant, who shall receive a salary or compensation to be fixed and paid in like manner. Such salaries or compensation may at any time be changed by the said judges. Said commissioner may, with the consent of said judges, expressed in writing, from time to time appoint such clerks and messengers, not exceeding three in number, as shall be necessary for the proper execution of this act. The compensation of such clerks and messengers shall be fixed by the said judges and paid by the county monthly."

At the end of section 7 add the words "the assistant commissioner shall also qualify in like manner."

Section 70, last lines, strike out the words "in so far as they are so inconsistent."

Further amendments, relating to exemptions of National Guardsmen:

Section 16, line 4 (in subdivision 8), after the word "company" insert the words "troop, battery or signal and telegraph corps."

Section 18, line 2, after the word "company" insert the same words "troop, battery or signal and telegraph corps."

Same section, line 18, ending with the words "commissioner's office" and before line 12, insert the words "The commanding officer of each regiment, and of each battalion not a part of a regiment, shall in like manner deliver to and file with the commissioner of jurors a similar list, containing the names of the field, staff and non-commissioned staff officers of his command."

Same section, line 23, strike out the word "division" and insert the word "brigade."

Same section, line 24, strike out the words "of the companies" and insert the words "hereinbefore provided for."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keck	Parkhurst	Stein
Baker	Dowling	Keleher	Plant	Stevens
Berry	Eldredge	Kelsey	Porter	Stewart
Braun	Fairbrother	Kerr	Prescott	Stone
Brownell	Fish	Kern	Rider, J.J.	Sulzer
Burtis	Foley	Kneeland	Robbins	Taylor
Butts	Friday	Lasch	Robinson	Terry, C.W.
Cahill	Fuller	Lawson	Roche	Terry, J.F.
Cain	Gardiner	Lee	Ryder, E.L.	Thompson
Carroll	Gerst	Lounsbury	Schillinger	Tilton
Cassin	Gleason	Loonan	Schoepflin	Tobin
Chambers	Glenn	Marrin	Schulz, F.F.	Trainor
Chapman	Gould	Matthews	Schulz, H	Tuttle
Clark, F.E.	Herrman	McDermott	Seibert	Vehslage
Clark, J.H.	Higbie	McKeon	Sherwood	Wells
Conklin	Hobbie	Melody	Smith, M.F.	Whittet
Corrigan	Hoefer	Messiter	Smith, S.W.	Wilcox
Cutler	Horton	Myers	Snyder	Wray
Davidson	Hotaling	O'Donnel	Southworth	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1415) entitled "An act to prevent and punish fraudulent sales of goods, wares and merchandise at public or private sale by itinerant vendors, and to regulate such sales" (Int. No. 546), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Parkhurst	Stadtfeld
Babcock	Dowling	Keleher	Plant	Stein
Baker	Eldredge	Kelsey	Porter	Stevens
Braun	Fairbrother	Kerr	Prescott	Stewart

Brownell	Fish	Kern	Rider, J.J.	Stone
Burtis	Foley	Kerrigan	Robbins	Sulzer
Butts	Friday	Kneeland	Robertson	Terry, C.W.
Cahill	Fuller	Lasch	Robinson	Terry, J.F.
Cain	Gardiner	Lawson	Robson	Thompson
Carroll	Gerst	Lee	Schillinger	Tilton
Cassin	Gleason	Lounsbury	Schoepflin	Tobin
Chambers	Glenn	Marrin	Schulz, F.F.	Trainor
Chapman	Gould	Matthews	Schulz, H	Tuttle
Clark, J. H.	Herrman	McDermott	Seibert	Vehslage
Conklin	Higbie	McKeon	Sherwood	Wells
Corrigan	Hobbie	Melody	Smith, M.F.	Whittet
Cutler	Hoefler	Messiter	Smith, S.W.	Wilcox
Davidson	Horton	Myers	Snyder	Wray
Dean	Hotaling	O'Donnell	Southworth	Wyckoff
Denniston	Houghton	O'Grady		

In the negative,

Ryder, E.L.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1419) entitled "An act to amend the Code of Civil Procedure, relative to the stenographers of the Supreme Court in certain districts" (Int. No. 1168), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Porter	Stevens
Babcock	Dinkelspiel	Keck	Prescott	Stewart
Baker	Dowling	Keleher	Rider, J.J.	Stone
Berry	Eldredge	Kelsey	Robbins	Sulzer
Braun	Fairbrother	Kerr	Robertson	Taylor
Brownell	Fish	Kern	Robinson	Terry, C.W.
Burtis	Foley	Kneeland	Robson	Terry, J.F.
Butts	Friday	Lasch	Ryder, E.L.	Thompson
Cahill	Fuller	Lawson	Schillinger	Tilton
Cain	Gardiner	Lee	Schoepflin	Tobin
Carroll	Gerst	Lounsbury	Schulz, F.F.	Trainor
Cassin	Gleason	Marrin	Schulz, H	Tuttle

Chambers	Glenn	Matthews	Seibert	Vacheron
Chapman	Gould	McDermott	Sherwood	Van Amber
Clark, F.E.	Herrman	McKeon	Smith, M.F.	Vehslage
Clark, J. H.	Higbie	Melody	Smith, S.W.	Wells
Conklin	Hobbie	Messiter	Snyder	Whittet
Corrigan	Hoefler	O'Grady	Southworth	Wilcox
Cutler	Horton	Parkhurst	Stadtfeld	Wray
Davidson	Hotaling	Plant	Stein	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1410) entitled "An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York'" (Int. No. 929), having been announced for a third reading,

On motion of Mr. Sulzer, said bill was laid aside.

The bill (No. 1408) entitled "An act to provide for the payment of the amount advanced, or to be advanced, by the city of Schenectady for improvements made on Rotterdam street and Water street, in said city, and for the collection of the same" (Int. No. 876), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the member selected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	Parkhurst	Stein
Babcock	Dowling	Keck	Plant	Stevens
Baker	Eldredge	Kelêher	Porter	Stewart
Berry	Fairbrother	Kelsey	Prescott	Stone
Braun	Fish	Kerr	Rider, J.J.	Sulzer
Brownell	Foley	Kern	Robbins	Taylor
Burtis	Friday	Kerrigan	Robertson	Ferry, C.W
Butts	Fuller	Kneeland	Robinson	Terry, J.F.
Cain	Gardiner	Lasch	Ryder, E.L.	Thorapson
Callahan	Gerst	Lawson	Scanlon	Tilton
Carroll	Gleason	Lee	Schillinger	Tobin
Cassin	Glenn	Lounsbury	Schoepflin	Trainor
Chambers	Gould	Marrin	Schulz, F.F.	Tuttle
Chapman	Gray	Matthews	Schulz, H	Vacheron
Clark, J. H.	Herrman	McDermott	Seibert	Van Amber

Conklin	Higbie	McKeon	Sherwood	Vehslage
Corrigan	Hobbie	McNamee	Smith, M.F.	Wells
Cutler	Hoefler	Melody	Smith, S.W.	Whittet
Davidson	Horton	Messiter	Snyder	Wilcox
Dean	Hotaling	Myers	Southworth	Wray
Denniston	Houghton	O'Grady	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 982) entitled "An act to reappropriate the unexpended balance of the sum of \$8,000 appropriated by chapter 705 of the Laws of 1892, entitled 'An act to authorize the building of a dyke and the removal of a bar for the protection of property adjacent to the Chemung river in the city and town of Corning, and making an appropriation therefor'" (Int. No. 893), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	Plant	Stevens
Babcock	Dowling	Keck	Porter	Stewart
Baker	Eldredge	Keleher	Prescott	Stone
Berry	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Braun	Finnigan	Kerr	Robbins	Taylor
Brownell	Fish	Kern	Robertson	Terry, C W.
Burtis	Foley	Kerrigan	Robinson	Terry, J.F.
Butts	Friday	Kneeland	Robson	Thompson
Cahill	Fuller	Lasch	Roche	Tilton
Cain	Gardiner	Lawson	Ryder, E.L.	Tobin
Carroll	Gleason	Lee	Scanlon	Trainor
Cassin	Glenn	Lounsbury	Schillinger	Tuttle
Chambers	Gould	Marrin	Schoepflin	Vacheron
Chapman	Gray	Matthews	Schulz, F.F.	Van Amber
Clark, F.E.	Herrman	McDermott	Schulz, H	Vehslage
Clark, J. H.	Higbie	McKeon	Sherwood	Wells
Conklin	Hobbie	McNamee	Smith, M.F.	Whittet
Corrigan	Hoefler	Melody	Smith, S.W.	Wieman
Cutler	Horton	Messiter	Snyder	Wilcox
Davidson	Hotaling	Myers	Southworth	Wray
Dean	Houghton	O'Grady	Stadtfeld	Wyckoff
Denniston	Howe	Parkhurst	Stein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1346) entitled "An act to reappropriate certain unexpended balances of former appropriations" (Int. No. 1191), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	O'Grady	Southworth
Babcock	Dowling	Houghton	Parkhurst	Stadtfeld
Baker	Eldredge	Hoysradt	Plant	Stein
Berry	Fairbrother	Keck	Porter	Stevens
Braun	Finnigan	Kelcher	Prescott	Stewart
Brownell	Fish	Kelsey	Rider, J.J.	Stone
Burtis	Foley	Kerr	Robbins	Sulzer
Bush	Friday	Kern	Robertson	Terry, C.W.
Butts	Fuller	Kneeland	Robinson	Terry, J.F.
Cahill	Gardiner	Lasch	Roche	Thompson
Cain	Gerst	Lawson	Ryder, E.L.	Tilton
Callahan	Gleason	Lee	Scanlon	Tobin
Carroll	Glenn	Lounsbury	Schillinger	Trainor
Cassin	Gould	Marrin	Schoepflin	Tuttle
Chambers	Gray	Matthews	Schulz, F.F.	Vacheron
Chapman	Harrigan	McDermott	Schulz, H	Vehslage
Clark, J. H.	Herrman	McKeon	Seibert	Wells
Conklin	Higbie	McNamee	Sherwood	Whittet
Corrigan	Hobbie	Melody	Smith, M.F.	Wilcox
Davidson	Hoefler	Messiter	Smith, S.W.	Wray
Dean	Horton	Myers	Snyder	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 985) entitled "An act in relation to assessments for public improvements in the towns of this State and to provide for reviewing and correcting the same" (Int. No. 897), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 14 }

Those who voted in the affirmative, were

Berry	Dowling	Keck	Myers	Seibert
Braun	Eldredge	Keenan	O'Donnell	Smith, S.W.
Brennan	Fairbrother	Keleher	O'Grady	Southworth
Brownell	Finnigan	Kelsey	Parkhurst	Stadtfield
Bush	Fish	Kern	Plant	Stein
Butts	Foley	Kneeland	Porter	Stevens
Cain	Friday	Lasch	Prescott	Stewart
Carroll	Gardiner	Lounsbury	Reilly	Stone
Cassin	Gleason	Loonan	Robertson	Sulzer
Chambers	Gray	Marrin	Robinson	Taylor
Chapman	Hennessy	McDermott	Robson	Tuttle
Clark, J. H.	Herrman	McKeon	Roche	Vacheron
Conklin	Higbie	McNamee	Ryder, E.L.	Vehslage
Corrigan	Hoefler	Melody	Schillinger	Wells
Cutler	Hotaling	Messiter	Schulz, F.F.	Wieman
Davidson	Houghton	Mittnacht	Schulz, H	Wilcox
Dinkelspiel				

Those who voted in the negative, were

Babcock	Gerst	Rider, J.J.	Sherwood	Tilton
Baker	Lawson	Robbins	Terry, C.W.	Tobin
Denniston	Matthews	Schoepflin	Terry, J.F.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1274) entitled "An act to provide for repairing the bridges across the Tonawanda creek on the Tonawanda Indian reservation and make an appropriation for the same" (Int. No. 1186), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kelsey	Plant	Stein
Babcock	Fairbrother	Kern	Porter	Stevens
Baker	Finnigan	Kerrigan	Prescott	Stewart

Berry	Fish	Kneeland	Reilly	Stone
Braun	Foley	Lasch	Rider, J.J.	Sulzer
Brennan	Friday	Lawson	Robertson	Taylor
Brownell	Fuller	Lee	Robinson	Terry, C.W.
Burtis	Gerst	Lounsbury	Roche	Terry, J.F.
Butts	Glenn	Loonan	Ryder, E.L.	Thompson
Callahan	Gould	Marrin	Schillinger	Tilton
Carroll	Gray	Matthews	Schoepflin	Tobin
Cassin	Herrman	McDermott	Schulz, F.F.	Tuttle
Chambers	Higbie	McKeon	Schulz, H	Vacheron
Chapman	Hobbie	McNamee	Seibert	Van Amber
Clark, J. H.	Hoefer	Melody	Sherwood	Vehslage
Conklin	Horton	Messiter	Smith, M.F.	Wells
Corrigan	Hotaling	Myers	Smith, S.W.	Whittet
Davidson	Houghton	O'Donnell	Snyder	Wilcox
Dean	Hoysradt	O'Grady	Southworth	Wray
Dinkelspiel	Keck	Parkhurst	Stadtfeld	Wyekoff
Dowling	Keleher			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1421) entitled "An act to provide for the establishment of a home for the aged dependent veteran and his wife, veterans' mothers, widows, and army nurses, residents of New York" (Int. No. 487), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	O'Donnell	Stadtfeld
Babcock	Dowling	Hoysradt	O'Grady	Stein
Baker	Eldredge	Keck	Parkhurst	Stevens
Berry	Fairbrother	Keleher	Plant	Stewart
Braun	Finnigan	Kelsey	Porter	Stone
Brennan	Fish	Kerr	Prescott	Sulzer
Brownell	Foley	Kern	Reilly	Terry, C.W.
Burtis	Friday	Kneeland	Robbins	Terry, J.F.
Butts	Fuller	Lasch	Robinson	Tilton
Callahan	Gardiner	Lawson	Robson	Tobin
Carroll	Gerst	Lee	Scanlon	Trainor
Cassin	Gleason	Lounsbury	Schillinger	Tuttle
Chambers	Glenn	Loonan	Schoepflin	Vacheron

Chapman	Gould	Marrin	Schulz, F.F.	Van Amber
Clark, J. H.	Gray	Matthews	Seibert	Vehslage
Conklin	Harrigan	McDermott	Sherwood	Wells
Corrigan	Herrman	McKeon	Smith, M.F.	Whittet
Cutler	Higbie	McNamee	Smith, S.W.	Wilcox
Davidson	Hobbie	Melody	Snyder	Wray
Dean	Hoefler	Messiter	Southworth	Wyckoff
Denniston	Hotaling	Myers		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to notice given yesterday, Mr. Wray moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Dowling	Keck	Plant	Stadtfeld
Babcock	Eldredge	Keenan	Porter	Stein
Baker	Fairbrother	Keleher	Prescott	Stevens
Berry	Finnigan	Kelsey	Reilly	Stewart
Braun	Fish	Kern	Rider, J.J.	Stone
Braun	Foley	Kerrigan	Robbins	Sulzer
Brennan	Friday	Kneeland	Robertson	Taylor
Brownell	Fuller	Lasch	Robinson	Terry, C.W.
Burtis	Gardiner	Lawson	Robson	Terry, J.F.
Butts	Gerst	Lee	Roche	Thompson
Cahill	Gleason	Lounsbury	Ryder, E.L.	Tobin
Cain	Glenn	Loonan	Scanlon	Trainor
Cassin	Gould	Marrin	Schillinger	Tuttle
Chambers	Gray	Matthews	Schoepflin	Vacheron
Chapman	Harrigan	McDermott	Schulz, F.F.	Van Amber
Clark, J. H.	Hennessy	McKeon	Schulz, H	Vehslage
Conklin	Herrman	McNamee	Seibert	Wells
Corrigan	Higbie	Melody	Sheffield	Whittet
Coughlin	Hobbie	Messiter	Sherwood	Wieman
Cutler	Hoefler	Mitnacht	Smith, M.F.	Wilcox
Davidson	Horton	Myers	Smith, S.W.	Wray
Dean	Hotaling	O'Donnell	Snyder	Wyckoff
Denniston	Houghton	O'Grady	Southworth	Speaker
Dinkelspiel	Hoysradt	Parkhurst		

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Carroll, Kerr and Tilton, each of whom, upon giving satisfactory explanation for having been absent, was excused.

Mr. Wray moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sheffield, from a committee of conference, presented the following report :

To the Legislature :

The undersigned, appointed by the Senate and Assembly as a committee of conference, relative to the matters of difference arising between the two Houses upon the Assembly bill entitled "An act to incorporate the Provident Loan Society of New York," being Assembly bill Int. No. 782, report that they have duly conferred upon said matters, and agree to recommend as follows :

That the said bill be passed with the amendment adopted by the Senate and in the same form in which said bill was passed by the Senate.

CHARLES T. SAXTON,
JOHN LEWIS CHILDS,
Committee for the Senate.

JAMES R. SHEFFIELD,
D. E. AINSWORTH,
OTIS H. CUTLER,
WILLIAM SULZER,
SAMUEL J. FOLEY,
Committee for the Assembly.

April 11, 1894.

Debate being had thereon,

Mr. Hennessy moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 10 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	Prescott	Stevens
Babcock	Dowling	Keck	Reilly	Stewart
Baker	Eldredge	Keenan	Rider, J.J.	Stone
Berry	Fairbrother	Kerr	Robbins	Sulzer
Braun	Fish	Kern	Robertson	Taylor
Brennan	Foley	Kerrigan	Robinson	Terry, C.W.
Brownell	Friday	Kneeland	Robson	Terry, J.F.
Burtis	Fuller	La Petra	Roche	Thompson

Bush	Gardiner	Lasch	Ryder, E.L.	Tilton
Cain	Gerst	Lawson	Scanlon	Tobin
Callahan	Gleason	Lee	Schillinger	Trainor
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Cassin	Gould	Loonan	Schulz, F.F.	Vacheron
Chambers	Gray	Matthews	Schulz, H	Van Amber
Chapman	Harrigan	McDermott	Seibert	Vehslage
Clark, F.E.	Hennessy	McKeon	Sheffield	Wells
Clark, J. H.	Herrman	McNamee	Sherwood	Whittet
Conklin	Higbie	Messiter	Smith, M.F.	Wieman
Corrigan	Hobbie	Mitnacht	Smith, S.W.	Wilcox
Coughlin	Hoefler	Myers	Snyder	Wray
Cutler	Horton	O'Donnell	Southworth	Wyckoff
Dean	Hotaling	O'Grady	Stadtfeld	Speaker
Denniston	Houghton	Porter		

Those who voted in the negative, were

Butts	Davidson	Keleher	Marrin	Plant
Cahill	Finnigan	Kelsey	Melody	Stein

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

The Senate sent for concurrence the following entitled bill :

"An act to repeal chapter 756 of the Laws of 1871, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or the bay of New York, or Raritan bay, within the jurisdiction of the State of New York,' and the acts amendatory thereof and supplemental thereto" (No. 925, Rec. No. 347), which was read the first time.

Mr. Wray moved that said bill be substituted for Assembly bill No. 230, Int. No. 232, same subject and title.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wray then called from the table said bill, the same having been previously laid aside on the order of third reading.

Said bill was then announced for a third reading.

Debate being had thereon,

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
{ NOES 49 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Houghton	Robbins	Stone
Babcock	Fish	Keck	Robertson	Terry, C.W.
Baker	Friday	Kelsey	Robson	Terry, J.F.
Braun	Fuller	Kern	Ryder, E.L.	Thompson
Brownell	Gardiner	Kneeland	Schillinger	Tilton
Burtis	Gerst	Lawson	Schoepflin	Tuttle
Chambers	Glenn	Lee	Seibert	Vacheron
Clark, F.E.	Gould	Lounsbury	Sheffield	Van Amber
Clark, J. H.	Gray	Matthews	Sherwood	Wells
Conklin	Higbie	Messiter	Smith, M.F.	Whittet
Corrigan	Hobbie	O'Grady	Smith, S.W.	Wilcox
Cutler	Hoefer	Porter	Snyder	Wray
Dean	Horton	Prescott	Stevens	Wyckoff
Denniston	Hotaling	Rider, J.J.	Stewart	Speaker
Eldredge				

Those who voted in the negative, were

Berry	Davidson	Hoysradt	McKeon	Southworth
Brennan	Dinkelspiel	Keenan	McNamee	Stadtfeld
Bush	Douglas	Keleher	Melody	Stein
Butts	Dowling	Kerr	Mittnacht	Sulzer
Cahill	Finnigan	Kerrigan	Myers	Taylor
Cain	Foley	La Fetra	Plant	Tobin
Callahan	Gleason	Lasch	Robinson	Trainor
Cassin	Harrigan	Loonan	Roche	Vehslage
Chapman	Hennessy	Marrin	Scanlon	Wieman
Coughlin	Herrman	McDermott	Schulz, F.F.	

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On account of the sickness of Mr. Howe, and he being a member of the committee of conference on the bill (No. 1468), entitled "An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1253),

Mr. Ainsworth moved that Mr. Howe be relieved from further service on said committee and that Mr. Fuller be substituted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill (No. 576) entitled "An act making an appropriation for the support of government" (Int. No. 582), with a message that they have concurred in the report of the committee of conference thereon, in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 576) entitled "An act making appropriations for the support of government" (Int. No. 582), report that they have duly conferred upon said matters, and agreed to recommend as follows:

That the Assembly concur in the following amendments made by the Senate thereto:

Page 2, line 22, add the letter "s" to the word "expense."

Page 3, line 15, add the following:

"For keeping up the State library used by the judges of the Court of Appeals, twenty-five hundred dollars."

Page 2, line 25, after the word "office" insert the words "rent and other."

Page 6, line 17, after the word "dollars" insert the following: "to be disbursed on the order and approval of the Attorney-General. All fees of every name and nature received by said clerk or any of his deputies or employes shall be turned into the State treasury, and all laws allowing fees of any kind to said clerk or his deputy are hereby repealed."

Page 7, line 17, strike out the word "amounts" and insert the word "accounts."

Page 8, line 24, after the word "clerks" insert the words "and draftsmen."

Page 9, line 3, strike out the words "one thousand five hundred" and insert the words "two thousand one hundred."

Same page, line 10, strike out the word "sixteen" and insert the word "eighteen."

Same page, line 14, strike out the word "school" and insert the word "schools."

Page 13, line 21, strike out the word "three" and insert the word "five."

Page 14, line 15, after the word "ninety" strike out the word "two" and insert the word "three."

Page 15, line 3, commencing with the word "clerks," strike out all down to and including the word "inspectors" in line 6, and insert the words "report clerk, printing clerk, stenographer, page and other office assistance, for traveling expenses of regents and offices."

Same page, lines 12 and 13, strike out the word "appropriated" and insert the word "apportioned."

Page 16, line 2, after the word "department" insert the words

"and for furniture, fittings, supplies, printing, telegraphing, repairs and other incidental expenses."

Page 16, strike out all of line 19 down to and including line 26, and on page 17 all of line 1 down to and including line 10, and insert the following:

"DEPARTMENT OF AGRICULTURE.

"For the promotion of agriculture in this State, sixty-four thousand dollars; twenty thousand dollars thereof shall be distributed in premiums by the New York State Agricultural Society; twenty thousand dollars thereof shall be distributed by the Commissioner of Agriculture among the county agricultural societies of this State, and to the American Institute of the City of New York, as follows: One-half thereof shall be apportioned and distributed equally, and the remainder in proportion to actual premiums paid during the previous year by such societies and institute, exclusive of premiums paid for racing; twenty-four thousand dollars which shall be paid as follows: the sum of two thousand dollars to any society, club or exposition which shall have held annual fairs during each of the three years next preceding such distribution, and which shall have paid at each of its annual meetings or fairs during such three years, three thousand dollars as premiums for agricultural interests, exclusive of the premiums paid for racing, and shall on or before the first day of December in such year file a statement in duplicate, verified by its president and treasurer, showing such payment, together with the amount of each premium and the name of the person to whom it was paid, one of which statements shall be filed in the office of the Commissioner of Agriculture, and the other in the office of the comptroller, and shall file a written offer and bond to be approved by the comptroller, to the effect that such society, club or exposition will act as an agent of the State for the distribution and payment of such money for premiums at its annual fair; but if such society, club or exposition shall receive two thousand dollars as herein provided, it shall not receive any portion of the moneys collected from racing associations, or moneys already appropriated for the benefit of county agricultural societies; the balance of the said twenty-four thousand dollars not distributed as herein provided, to be distributed among the county agricultural societies of the State as follows: one-half of said balance to be apportioned and distributed equally, and the remainder in proportion to the actual premiums paid during the previous year by such societies exclusive of premiums paid for racing.

"Chapter 354 of the Laws of 1891, and section 89 of the agricultural law are hereby repealed."

Page 16, strike out all of lines 5, 6, 7 and 8, and in line 4 strike out the word "nineteen" and insert the word "twenty-two."

Same page, line 3, after the word "dollars" insert the words "No more than ten assistant commissioners shall be employed by

the commissioners of agriculture for said department. The assistant residing in the city of Albany shall receive as salary the sum of \$2,000, and the assistant commissioner residing in the city of New York shall receive an annual salary of \$2,500 and such expenses as may be necessary when they are away from the city of Albany or New York, respectively, on business of said department. And all other assistant commissioners shall receive salaries not exceeding \$1,200 per annum and all necessary expenses incurred in the performance of their duties."

Page 18, between lines 3 and 4, insert the heading "Forest Commission."

Same page, line 8, strike out the word "warden" twice occurring and insert in each case the word "superintendent."

Page 21, line 18, change the word "to" to the word "two."

Page 22, line 25, strike out the words "sixty-seven thousand eight hundred" and insert the words "fifty thousand."

Page 23, strike out all of lines 14, 15, 16 and 17 and insert the words "For the civil service commissioners for salaries and expenses, \$7,800, and the commissioners shall each receive the sum of \$600 thereof annually, payable monthly in lieu of and in full for all expenses."

Page 26, line 8, strike out the word "forty" and insert the word "thirty-five."

Same page, lines 12 and 13, strike out the words "sixty-two thousand five hundred" and insert the words "sixty-five thousand."

Same page, line 16, strike out the words "thirty thousand" and insert the words "thirty-one thousand two hundred."

Same page, lines 19 and 20, strike out the words "eighteen thousand seven hundred and fifty" and insert the words "nineteen thousand five hundred."

Same page, lines 23 and 24, strike out the words "twenty-eight thousand seven hundred and fifty" and insert the words "twenty-nine thousand nine hundred."

Page 27, line 1, strike out the words "forty-two thousand five hundred" and insert the words "forty-four thousand two hundred."

Same page, lines 5 and 6, strike out the words "twenty-three thousand seven hundred and fifty" and insert the words "twenty-four thousand seven hundred."

Same page, line 8, strike out the words "fifteen thousand" and insert the words "seventeen thousand."

Page 29, lines 24 and 25, strike out the words "and chapter 549 of the Laws of 1880."

Same page, strike out all of lines 11, 12, 13, 14, 15 and 16.

Page 28, line 16, strike out the words "ten thousand" and insert the words "twelve thousand five hundred."

Page 30, lines 23 and 24, strike out the words "chapter five hundred and thirty-six of the Laws of eighteen hundred and

thirty-six" and insert the words "chapter two hundred and forty-eight of the Laws of eighteen hundred and ninety three."

Page 31, strike out all of lines 13, 14, 15, 16, 17, 18 and 19.

Page 32, line 20, after the word "Buffalo" strike out the word "nineteen" and insert the word "twenty."

Same page, line 9, strike out the words "one thousand" and insert the words "five hundred."

Page 34, line 1, strike out the word "payment" and insert the word "payable."

Page 32, line 23, after the word "Fredonia" strike out the word "nineteen" and insert the word "twenty-two;" also, in the same line, strike out the word "five."

Same page, line 24, after the word "twenty" strike out the word "one" and insert the word "five."

Page 35, line 20, after the word "sections" insert the word "fourteen."

Page 36, line 5, after the word "by" insert the words "sections one hundred and forty-five of;" also, in same line, strike out the word "four" and insert the word "six;" also, in same line, strike out the word "sixty-eight" and insert the word "sixty-one."

Same page, line 6, strike out the word "eighty-nine" and insert the word "ninety-three," and strike out the word "twenty-one" and insert the word "twenty-six."

Page 38, after line 5, insert the following: "The Attorney General shall designate and select all counsel to be employed in the Department of Agriculture or by the Factory Inspector, Commission of Fisheries, or any of the other commissions provided for by law for the enforcement of laws connected with any of said departments or commissions and the proper administrations of said departments or commissions, in all cases hereafter arising and shall fix the compensation of said counsel fees or charges, in connection with said departments or commissions except those of counsel designated and selected by the Attorney-General in accordance herewith."

Page 37, after line 25, insert the following: "The superintendent and other managing officers of each of the State charitable and reformatory institutions other than the State prisons, State hospitals for the insane and the Oneida State Custodian Asylum, shall on or before the fifteenth day of each month, commencing with the month of September, 1894, cause to be prepared and delivered to the Comptroller a statement in detail, of the expenses estimated to be necessary for such institution for the next succeeding month, and of an amount in gross not exceeding \$250 for a contingent fund to meet unexpected emergencies during each succeeding month. Such statement shall be made in such form as the Comptroller shall direct. The Comptroller may revise such statement as to quantity of supplies, estimate of cost thereof, and as to such gross amount. The expenditures by each such institution during each succeeding month for any purpose shall not

exceed the total amount of the estimate therefor, as so revised by the Comptroller, unless in case of extraordinary emergencies the Comptroller may authorize an expenditure in excess of said amount.

The treasurer or other fiscal officer of each such institution shall on or before the fifth day of each month, commencing with the month of November, 1894, make to the Comptroller an itemized statement, duly verified, of all the receipts and expenditures of such institution for the next preceding month, in such form as the Comptroller shall direct.

Amend the title by striking out the word "an," and add the letter "s" to the word appropriation" so that it will read "An act making appropriations for the support of government."

And the committee further recommends that the Legislature concur in the following amendments, as amended by the committee of conference:

Page 4, line 11, after the word "third" strike out the word "and," and after the word "fourth" insert the words "seventh and eighth."

Same page, line 13, strike out the words "ten thousand" and insert the words "fifteen thousand."

Page 18, line 2, strike out the words "one hundred" and insert the word "ninety."

And the committee do further recommend that the Senate recede from the following amendments:

Page 16, line 18, after the word "dollars" insert the words "payable upon the certificate of the State Geologist and the audit of the Comptroller."

Page 17, line 21, strike out the word "forty" and insert the word "fifty."

Page 24, line 9, strike out the word "twenty" and insert the word "fifteen."

All of which is respectfully submitted.

J. MULLIN,
F. D. KILBURN,
JACOB A. CANTOR,
Senate Committee.

D. E. AINSWORTH,
HAMILTON FISH,
HARRISON FULLER,
WM. SULZER,
JOHN E. HENNESSY,

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 112 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	O'Donnell	Southworth
Babcock	Douglass	Keenan	O'Grady	Stadtfield
Baker	Dowling	Keleher	Parkhurst	Stein
Berry	Eldredge	Kelsey	Porter	Stevens
Braun	Fairbrother	Kerr	Reilly	Stewart
Brennan	Finnigan	Kern	Rider, J.J.	Stone
Brownell	Fish	Kerrigan	Robbins	Sulzer
Bush	Foley	Kneeland	Robertson	Terry, C.W.
Butts	Friday	La Fetra	Robinson	Terry, J.F.
Cahill	Fuller	Lasch	Robson	Thompson
Callahan	Gleason	Lawson	Roche	Tilton
Carroll	Glenn	Lee	Ryder, E.L.	Tobin
Cassin	Gould	Loonan	Scanlon	Trainor
Chambers	Harrigan	Marrin	Schillinger	Vacheron
Clark, F.E.	Hennessy	Matthews	Schoepflin	Van Amber
Clark, J. H.	Herrman	McDermott	Schulz, F.F.	Vehslage
Conklin	Higbie	McKeon	Schulz, H	Wells
Corrigan	Hobbie	McNamee	Seibert	Whittet
Coughlin	Hoefer	Melody	Sheffield	Wieman
Cutler	Horton	Messiter	Sherwood	Wilcox
Davidson	Hotaling	Mitnacht	Smith, S.W.	Wray
Dean	Houghton	Myers	Snyder	Wyckoff
Denniston	Hoysradt			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

The Senate returned the concurrent resolution extending thanks to Hon. David B. Hill for his speech in Congress, with a message that they have concurred in the passage of the same.

Mr. Houghton called from the table the bill (No. 829) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, relating to the keeper and assistant keeper of the city hall'" (Int. No. 763), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 66 }
 { NOES 46 }

Those who voted in the affirmative, were

Ainsworth	Gardiner	Kern	Scanlon	Terry, C.W.
Babcock	Gerst	Kneeland	Schoepflin	Terry, J.F.
Baker	Glenn	Lawson	Schulz, F.F.	Thompson
Braun	Gould	Lee	Schulz, H	Tilton
Brownell	Gray	Lounsbury	Seibert	Vacheron
Burtis	Higbie	Matthews	Sheffield	Van Amber
Chambers	Hobbie	Messiter	Sherwood	Wells
Conklin	Hoefer	O'Grady	Smith, M.F.	Whittet
Cutler	Horton	Porter	Smith, S.W.	Wieman
Dean	Hotaling	Rider, J.J.	Snyder	Wilcox
Eldredge	Houghton	Robbins	Stevens	Wray
Fish	Keck	Robertson	Stewart	Wyckoff
Friday	Kelsey	Robson	Stone	Speaker
Fuller				

Those who voted in the negative, were

Berry	Corrigan	Hennessy	McDermott	Robinson
Brennan	Coughlin	Herrman	McKeon	Roche
Bush	Dinkelspiel	Keenan	McNamee	Schillinger
Butts	Dowling	Keleher	Melody	Southworth
Cahill	Fairbrother	Kerr	Mittnacht	Stadtfeld
Cain	Finnigan	Kerrigan	Myers	Stein
Callahan	Foley	La Petra	O'Donnell	Sulzer
Carroll	Gleason	Lasch	Plant	Trainor
Cassin	Harrigan	Marrin	Reilly	Vehslage
Chapman				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Houghton called from the table the bill (No. 830) entitled "An act to amend chapter 80 of the Laws of 1888, entitled 'An act to amend chapter 314 of the Laws of 1887, entitled An act providing for the offices of keeper or janitor of public buildings in the city of Brooklyn, county of Kings'" (Int. No. 764), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
 { NOES 47 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robertson	Terry, C W.
Babcock	Fuller	Kern	Robson	Terry, J.F.
Baker	Gardiner	Kneeland	Scanlon	Thompson
Braun	Gerst	Lawson	Schoepflin	Tilton
Brownell	Glenn	Lee	Schulz, F.F.	Tuttle
Burtis	Gould	Lounsbury	Schulz, H	Vacheron
Chambers	Gray	Matthews	Seibert	Van Amber
Clark, J. H.	Higbie	Messiter	Sheffield	Wells
Conklin	Hobbie	O'Grady	Sherwood	Whittet
Cutler	Hoefler	Parkhurst	Smith, M. F.	Wieman
Dean	Horton	Porter	Smith, S.W.	Wilcox
Denniston	Hotaling	Prescott	Snyder	Wray
Eldredge	Houghton	Rider, J.J.	Stevens	Wyckoff
Fairbrother	Keck	Robbins	Stone	Speaker
Fish				

Those who voted in the negative, were

Berry	Corrigan	Herrman	Marrin	Reilly
Brennan	Coughlin	Hoysradt	McDermott	Roche
Bush	Davidson	Keenan	McKeon	Southworth
Butts	Dinkelspiel	Keleher	McNamee	Stadtfeld
Cahill	Dowling	Kerr	Melody	Stein
Cain	Finnigan	Kerrigan	Mitnacht	Sulzer
Callahan	Foley	La Fetra	Myers	Tobin
Carroll	Gleason	Lasch	O'Donnell	Trainor
Cassin	Harrigan	Loonan	Plant	Vehslage
Chapman	Hennessy			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act to amend chapter 266 of the Laws of 1894, relating to interference with convicts employed on the public highways" (Int. No. 1470), which was read the first time.

On motion of Mr. Fish, and by unanimous consent, said bill was read the second time, and placed on the order of third reading.

Mr. Sheffield offered for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 805, Int. No. 332, entitled "An act to authorize the procuring of new grounds, and the

erection thereon of buildings for the use of the College of the City of New York," heretofore recalled from the Governor for amendment, be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate, of Senate bill No. 889, entitled "An act concerning the Niagara Falls Suspension Bridge Company and to amend chapter 133 of the Laws of 1855, entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' as revived and extended by chapter 239 of the Laws of 1867" (Int. No. 123), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 811, entitled "An act amending the highway law, so called, as enacted by chapter 568 Laws of 1890, and the acts amendatory thereof" (Int. No. 651), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1468) entitled "An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1253), with a message that they have agreed to the request of the Assembly for a committee of conference thereon, and have appointed as such committee on the part of the Senate, Messrs. Mullin, Higgins and Parker.

Ordered, That the Clerk return said bill to the Senate.

The bill (No. 1352) entitled "An act to amend chapter 14 of

the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and consolidate therewith the several acts in relation to the charter of said city,' and the several acts amendatory thereof and supplementary thereto" (Int. No. 1208), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hobbie	O'Donnell	Stadtfeld
Babcock	Denniston	Hoefer	O'Grady	Stein
Baker	Douglas	Horton	Parkhurst	Stevens
Berry	Dowling	Hotaling	Porter	Stewart
Braun	Eldredge	Houghton	Prescott	Stone
Brownell	Fairbrother	Keck	Rider, J.J.	Sulzer
Burtis	Finnigan	Kelsey	Robbins	Terry, C.W.
Bush	Fish	Kerr	Robertson	Terry, J.F.
Butts	Friday	Kern	Robson	Thompson
Carroll	Fuller	Lasch	Scanlon	Tilton
Cassin	Gardiner	Lawson	Schillinger	Trainor
Chambers	Gerst	Lee	Schoepflin	Vacheron
Clark, J. H.	Glenn	Lounsbury	Seibert	Van Amber
Conklin	Gould	Matthews	Sheffield	Vehslage
Corrigan	Gray	Messiter	Sherwood	Wells
Coughlin	Herrman	Mittnacht	Smith, M. F.	Whittet
Cutler	Higbie	Myers	Smith, S.W.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bills:

"An act for the relief of the Stickley & Simonds Company" (No. 950, Rec. No. 349), which was read the first time.

Mr. Sulzer asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keleher	Parkhurst	Stadtfeld
Babcock	Eldredge	Kelsey	Porter	Stein
Baker	Fairbrother	Kerr	Prescott	Stevens
Berry	Fish	Kern	Rider, J.J.	Stewart
Braun	Friday	Kneeland	Robbins	Stone
Brownell	Fuller	Lawson	Robertson	Sulzer
Burtis	Gardiner	Lee	Robson	Terry, C.W.
Bush	Gerst	Lounsbury	Scanlon	Terry, J.F.
Butts	Gleason	Marrin	Schillinger	Thompson
Carroll	Glenn	Matthews	Schoepflin	Thornton
Cassin	Gray	McDermott	Schulz, F.F.	Tilton
Chapman	Herrman	McKeon	Schulz, H	Trainor
Clark, F.E.	Higbie	McNamee	Seibert	Tuttle
Conklin	Hobbie	Melody	Sheffield	Van Amber
Coughlin	Hoefler	Messiter	Sherwood	Wells
Cutler	Horton	Mittnacht	Smith, M.F.	Whittet
Dean	Hotaling	O'Donnell	Smith, S.W.	Wieman
Denniston	Keck	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

"An act in relation to the powers of the superintendent of the insurance department" (not printed, Rec. No. 348), which was read the first time.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was read the second time and ordered to a third reading.

The Senate returned the bill (No. 864) entitled "An act to provide for the construction of the Eastern New York Reformatory and making an appropriation therefor" (Rec. No. 429), with a message that they have concurred in the passage of the same with the following amendments:

(Reference to engrossed bill.)

Add at the end of section 1 the words "and shall be paid their necessary expenses while engaged in the duties of their office."

Section 2, line 3, after the word "site" insert the words "heretofore selected by the commissioners."

Same section, lines 13 and 14, strike out the words "and the

total amount of real property so to be acquired shall not exceed 300 acres."

Section 4, line 5, after the word "act" insert the words "\$40,000 of said appropriation shall be immediately available, but the balance shall not be available until after the first day of April, 1895."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dowling	Kelsey	O'Donnell	Stewart
Baker	Fairbrother	Kerr	O'Grady	Stone
Braun	Finnigan	Kern	Parkhurst	Sulzer
Burtis	Gardiner	Kneeland	Porter	Terry, C.W.
Bush	Gerst	Lasch	Rider, J.J.	Terry, J.F.
Carroll	Glenn	Lawson	Robertson	Thompson
Cassin	Gould	Lee	Robson	Tilton
Chambers	Gray	Lounsbury	Roche	Tobin
Clark, F.E.	Harrigan	Loonan	Scanlon	Trainor
Clark, J. H.	Herrman	Marrin	Schoepflin	Tuttle
Conklin	Higbie	McDermott	Schulz, H	Van Amber
Cutler	Hoefler	McKeon	Sherwood	Vehslage
Dean	Horton	McNamee	Smith, M.F.	Wells
Denniston	Hotaling	Melody	Smith, S.W.	Whittet
Dinkelspiel	Houghton	Messiter	Stein	Wilcox
Douglas	Hoysradt	Myers	Stevens	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to provide for the serial publication, without expense to the State, of the decisions of certain courts as soon as handed down." (Int. No. 1229.)

"An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts." (Int. No. 1240.)

"An act to provide for the removal of the bridge over the Erie canal at Porter avenue, in the city of Buffalo, to Jersey street in said city, and for the construction of a new bridge at Porter

avenue in said city, and making an appropriation therefor." (Int. No. 854.)

"An act to amend the railroad law, relating to definitions." (Int. No. 862.)

"An act to provide for the erection of a suitable monument to the memory of the soldiers of the Ninth Regiment Volunteer Infantry of the State of New York, who were engaged in the battle of Antietam, and making an appropriation therefor." (Int. No. 858.)

"An act to amend chapter 49 of the Laws of 1893, entitled 'An act to provide for the construction of a sewer in the city of Newburgh,' extending time for payments." (Int. No. 1266.)

"An act to amend the agricultural law, authorizing agricultural societies and corporations to lease their grounds." (Int. No. 1181.)

"An act making appropriations for the promotion of agriculture in this State." (Int. No. 542.)

"An act making an additional appropriation for the construction of a swing or hoist bridge over the Erie canal at Emerson street in the city of Rochester." (Int. No. 552.)

"An act authorizing the Superintendent of Public Works to remove the bridge now spanning the Erie canal at Main street in the village of Fairport." (Int. No. 49.)

"An act to amend chapter 389 of the Laws of 1872, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Hempstead, in the county of Queens.'" (Int. No. 904.)

"An act reappropriating an unexpended balance of certain moneys, appropriated by chapter 726 of the Laws of 1893, for a duplicate pump for water supply for the St. Lawrence State Hospital, for other purposes." (Int. No. 1135.)

"An act to provide for the incorporation of medical societies in the several counties set apart in this State since the passage of the act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813." (Int. No. 1118.)

"An act authorizing and empowering the Superintendent of Public Works to construct a lift-bridge or hoist-bridge over the

Erie canal in the village of Canajoharie, and making an appropriation therefor." (Int. No. 740.)

"An act to fix and regulate the rate of fare to be charged by the Troy City Railway Company." (Int. No. 895.)

"An act making an appropriation for the payment of the actual expenses of travel incurred in the performance of their duty by the State game and fish protectors, while engaged in the discharge of their duties." (Int. No. 603.)

"An act to provide for the payment of all excise moneys and fines for the breach of the laws in relation thereto in the city of Brooklyn into the revenue fund of said city, and to repeal all acts and parts of acts inconsistent therewith." (Int. No. 1138.)

"An act to appropriate money for the support of the insane under the provisions of chapters 126 of the Laws of 1890, and 214 of the Laws of 1893." (Int. No. 1094.)

"An act to provide factory inspectors and deputy factory inspectors with badges." (Int. No. 1247.)

"An act to improve a certain highway in the town of Greenwich, Washington county, and making an appropriation therefor." (Int. No. 362.)

"Concurrent resolution proposing amendment to article 6 of the Constitution of this State in relation to county judges and court of sessions in the county of Kings." (Int. No. 1241.)

"An act relative to the Supreme Court of the second judicial department." (Int. No. 1271.)

"An act to amend section 14 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property.'" (Int. No. 1182.)

"Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court." (Int. No. 1109.)

"An act ceding to the city of Buffalo, for park purposes, a strip of land on the south side of Scajauquada creek, in said city, now a portion of the lands of the Buffalo State Hospital." (Int. No. 1167.)

"An act to amend the railroad law, in relation to electric light and power corporations becoming railroad corporations." (Int. No. 1176.)

"An act making an appropriation to pay for the construction

of a sewer under the Oswego canal in the village of Fulton, New York." (Int. No. 102.)

"An act to confirm the proceedings taken in the issue of the village of New Rochelle highway improvement bonds numbered 'B 1' to 'B 50' inclusive." (Int. No. 765.)

The privileges of the floor were extended to Messrs. Thomas F. Magnier and Myer Nusbaum, former members of this House.

The hour of 1.30 p. m. having arrived, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

Mr. Speaker presented a communication from the Governor, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 11, 1894.

To the Legislature:

There has been pending before your honorable body for more than ten weeks a bill (Senate bill No. 846), which is of vital importance in the maintenance of the Adirondack park. It is a measure which is intended to correct an oversight in chapter 711 of the laws of last year, relative to the sale and redemption of land sold for taxes, and its passage has been strenuously urged by the forest commission and by others interested officially or otherwise in the protection of our forests.

So essential to the cause of forest preservation do I regard this bill that I take this means of bringing it again to your attention and of urging its speedy enactment. The facts occasioning its introduction are by this time generally known. By numerous tax sales in years gone by the State has come into possession of about 900,000 acres of forest lands. Through cancellations of tax sales, however, permitted by the loose phraseology of the law thousands of acres have been reclaimed by private individuals or timber and land speculators, and to-day there are on file in the Comptroller's office over 300 additional applications for the cancellation of tax sales covering about 150,000 acres of Adirondack land. Unless the defect in chapter 711 of the Laws of 1893 above alluded to is corrected the State is likely to be deprived of this great area of forest land, and eventually of a large proportion of its Adirondack holdings.

A year ago I had occasion by special message to call the attention of the Legislature to the same condition of affairs which existed then as now, and my suggestions met prompt legislative

response by a proper amendment to the law, which became chapter 398 of the Laws of 1893. Unfortunately, however, this amendment failed to be included in a revision of laws relating to the sale and redemption of land sold for taxes, which was pending in the Legislature at the same time, and subsequently became chapter 711, and the good effect of the amendment was consequently nullified. It is to restore this legislation to its proper shape that the bill which is now before you and to which I would call your attention has been introduced.

Although the State's interest in this legislation is manifest and every consideration of public interest would seem to demand its enactment, mysterious influences appear to retard its passage. If this legislation should fail, the partial destruction of the Adirondack park would be threatened, and State forest lands would be turned over to the devastation of lumbermen. A few Adirondack land or timber speculators would secure from the Legislature favors denied to the six and a half million people whom the Legislature is supposed to represent. That would be a perversion of duty and official responsibility which would justly bring reproach upon the people's representatives. I sincerely trust that the Legislature will not allow any adverse influences to defeat the passage of this bill at the present session. It is a measure of great public importance and its defeat would be a calamity to be regretted by every friend of forest preservation.

ROSWELL P. FLOWER.

Mr. Ainsworth moved that said message be laid upon the table and ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wyckoff, from the committee on agriculture, presented a report of the recent visit of that committee to the State of New Jersey to inspect their road system; which was laid upon the table and ordered printed.

(See Document.)

The bill (No. 1418) entitled "An act to amend the Code of Civil Procedure, relative to the jurisdiction of the Supreme Court over the person and property of incompetent persons" (Int. No. 1058), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	O'Donnell	Stadtfeld
Babcock	Dinkelspiel	Keleher	O'Grady	Stein
Brennan	Eldredge	Kelsey	Plant	Stevens
Brownell	Fairbrother	Kerr	Porter	Stewart
Burtis	Finnigan	Kern	Prescott	Stone
Butts	Fish	Kerrigan	Reilly	Sulzer
Cahill	Friday	Kneeland	Rider, J.J.	Taylor
Cain	Fuller	La Fetra	Robertson	Thompson
Callahan	Gardiner	Lasch	Robson	Tilton
Carroll	Gerst	Lawson	Ryder, E.L.	Tobin
Cassin	Gleason	Lee	Scanlon	Tuttle
Chambers	Glenn	Lounsbury	Schillinger	Vacheron
Chapman	Gould	Loonan	Schoepflin	Van Amber
Clark, F.E.	Harrigan	Marrin	Schulz, F.F.	Vehslage
Clark, J. H.	Herrman	Matthews	Schulz, H	Wells
Conklin	Higbie	McKeon	Seibert	Whittet
Corrigan	Hobbie	McNamee	Sherwood	Wieman
Cutler	Hoefer	Messiter	Smith, M.F.	Wilcox
Davidson	Houghton	Mitnacht	Smith, S.W.	Wray
Dean	Hoysradt	Myers	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1026) entitled "An act to amend chapter 690 of the Laws of 1892, entitled 'The Insurance Law'" (Int. No. 942), having been announced for a third reading,

On motion of Mr. Cutler, said bill was laid aside.

The bill (No. 1405) entitled "An act to provide for the construction of roads by local assessment, county and State aid" (Int. No. 1031), having been announced for a third reading,

Mr. Kerr moved to amend the same as follows:

Page 1, section 1, line 2, strike out the word "board" and insert the word "road."

Same page, same section, line 5, strike out the word "one-hird" and insert the word "three-fifths."

Page 7, section 7, line 13, after the word "county" add the words "but no county shall construct more than ten miles of road under this act in the year 1894."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Ainsworth, said bill was laid aside.

The bill (No. 1200) entitled "An act making appropriation for

the construction and repair of a stone wall in the village of Fort Edward, located on South Broadway near the aqueduct of the Champlain canal" (Int. No. 1069), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	O'Grady	Snyder
Babcock	Douglas	Keleher	Parkhurst	Stadtfeld
Baker	Eldredge	Kerr	Plant	Stein
Brennan	Fairbrother	Kern	Porter	Stevens
Brownell	Finnigan	Kerrigan	Reilly	Stewart
Burtis	Fish	Kneeland	Rider, J.J.	Stone
Bush	Friday	La Fetra	Robbins	Sulzer
Butts	Fuller	Lasch	Robinson	Taylor
Cain	Gardiner	Lawson	Robson	Terry, C.W.
Carroll	Gerst	Lee	Ryder, E.L.	Thompson
Cassin	Gleason	Lounsbury	Scanlon	Tilton
Chambers	Glenn	Loonan	Schillinger	Trainor
Chapman	Gould	Marrin	Schoepfin	Tuttle
Clark, F.E.	Hennessy	Matthews	Schulz, F.F.	Van Amber
Clark, J. H.	Herrman	McKeon	Schulz, H	Vehslage
Conklin	Higbie	McNamee	Seibert	Wells
Corrigan	Hobbie	Messiter	Sherwood	Wieman
Coughlin	Hoefler	Mittnacht	Smith, M.F.	Wilcox
Cutler	Hotaling	Myers	Smith, S.W.	Wyckoff
Dean	Houghton	O'Donnell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hennessy rose to a question of personal privilege, in the words following :

Mr. Speaker, I rise to a question of privilege. On attempting to enter the Assembly Chamber this afternoon I was stopped by the State Superintendent of Insurance and one of his deputies, who attempted violently, and I say violently in the most advised sense of the term, to interfere with my actions as a member of the Legislature. The Superintendent and his deputy based that attempt upon a statement of mine to the House this forenoon on a bill which was offered here by the honorable gentleman from

Oswego. The Superintendent of State Insurance said to me, and his deputy said to me, that I had no right as a member of the Legislature to interfere with anything that came from the Insurance Department. And he said to me that he would call me to account and he would see I went no further. I said to the gentleman in a quiet way that I believed he was committing a misdemeanor to interfere with the action of a member of this Legislature. Nevertheless, he raised his hand threateningly, and his deputy also, and I said you must not do that. I said he had attacked the Lloyds Insurance and individual underwriters of this State. He said he had and was glad of it. I said that I, as a representative of the people, would at all times stand behind the fraternal and co operative societies of the State as well as the Lloyds and the individual underwriters. He said I had no right to attack his position. I said I would assert my privilege on this floor to call him to account and he could assert himself elsewhere.

I understand he is accredited to the Democratic organization of the county of Kings. He may have some influence there. I do not know what it is. I desire to say to him that no influence of his, or influence of the Democratic organization of Kings, can show me in an iota in the matter of my obligation, as a member of the Legislature, to protect the public interests.

I think it is time when the State Superintendent of Insurance and one of his deputies, a most ungentlemanly person, attempts to interfere with the rights of a member of this House, it is time that this Legislature should take cognizance of it.

Last year we defeated a bill here and it went back to the Senate and on the way back to the Senate, without the action of the Senate, the amendments we struck out here were put in. And that bill came from the Superintendent of Insurance. If it had not been for the vigilance of members on the floor every fraternal and co operative insurance company would have been sufferers and the 200,000 frugal men who provide for their widows, or those who will be their widows, would be debarred from the privilege they receive under the law.

If the State Superintendent of Insurance is in league with the tontine insurance companies, let him, but while he acts for the people he must carry out the laws for all the people, not for State insurance, not for the Mutual Life or New York Life, and he can

not call me, or can not call you and he can not call any of us outside to account for our honest actions in the House.

The bill (No. 1268) entitled "An act providing for the acquirement of lands for the Adirondack park under the right of eminent domain" (Int. No. 1175), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keleher	Plant	Stevens
Babcock	Dinkelspiel	Kerr	Porter	Stewart
Berry	Douglas	Kern	Reilly	Stone
Brennan	Fairbrother	Kerrigan	Rider, J.J.	Sulzer
Brownell	Fish	Kneeland	Robbins	Taylor
Burtis	Foley	La Fetra	Robson	Terry, C.W.
Bush	Friday	Lasch	Ryder, E.L.	Terry, J.F.
Butts	Fuller	Lawson	Scanlon	Thompson
Callahan	Gardiner	Lee	Schillinger	Thornton
Carroll	Gerst	Lounsbury	Schoepflin	Tilton
Cassin	Gleason	Loonan	Schulz, F.F.	Trainor
Chambers	Glenn	Marrin	Schulz, H.	Tuttle
Chapman	Harrigan	Matthews	Seibert	Van Amber
Clark, F.E.	Herrman	McKeon	Sheffield	Vehslage
Clark, J. H.	Higbie	McNamee	Sherwood	Wells
Conklin	Hobbie	Messiter	Smith, M.F.	Wieman
Corrigan	Hoefler	Mittnacht	Smith, S.W.	Wilcox
Cutler	Hotaling	Myers	Snyder	Wray
Davidson	Houghton	O'Donnell	Stadtfield	Wyckoff
Dean	Hoysradt	O'Grady	Stein	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 848) entitled "An act to amend chapter 187 of the Laws of 1862, entitled 'An act to incorporate the Board of Foreign Missions of the Presbyterian Church in the United States of America, and to regulate the number of trustees'" (Int. No. 783), with a message that they had concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Wray called from the table the bill (No. 1026) entitled

"An act to amend the insurance law, relating to estimates of liabilities and percentages chargeable on unearned premiums" (Int. No. 942), previously laid aside on the order of third reading.

Debate being had thereon,

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 61 }
{ NOES 54 }

Those who voted in the affirmative, were

Babcock	Fuller	Kelsey	Robbins	Stewart
Brownell	Gardiner	Kern	Robertson	Terry, J.F.
Burtis	Glenn	Kneeland	Robson	Thompson
Chambers	Gould	Lawson	Scanlon	Tilton
Clark, F.E.	Gray	Lee	Schoepflin	Tuttle
Clark, J. H.	Harrigan	Lounsbury	Schulz, H	Vacheron
Cutler	Higbie	Matthews	Sheffield	Van Amber
Dean	Hoefer	Messiter	Sherwood	Wells
Eldredge	Horton	Parkhurst	Smith, M.F.	Whittet
Fairbrother	Hotaling	Porter	Smith, S.W.	Wilcox
Fish	Houghton	Prescott	Snyder	Wray
Foley	Keck	Rider, J.J.	Southworth	Wyckoff
Friday				

Those who voted in the negative, were

Ainsworth	Coughlin	Hoysradt	McNamee	Stadtfeld
Berry	Davidson	Keenan	Myers	Stein
Brennan	Denniston	Keleher	O'Donnell	Stone
Bush	Douglas	Kerr	O'Grady	Sulzer
Butts	Dowling	Kerrigan	Plant	Taylor
Cahill	Finnigan	La Petra	Reilly	Terry, C. W.
Cain	Gerst	Lasch	Robinson	Thornton
Carroll	Gleason	Loonan	Ryder, E.L.	Tobin
Chapman	Hennessey	Marrin	Schillinger	Trainor
Conklin	Herrman	McDermott	Schulz, F.F.	Vehslage
Corrigan	Hobbie	McKeon	Seibert	Wieman

Mr. Wray moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1412) entitled "An act to amend the highway

law, relative to the county roads, and to the money system of working the highways" (Int. No. 967), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 40 }
{ NOES 63 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Horton	Porter	Terry, J.F.
Babcock	Fairbrother	Kerr	Ryder, E.L.	Thompson
Baker	Fish	Kneeland	Schoepflin	Thornton
Burtis	Friday	Lawson	Smith, S.W.	Tilton
Chambers	Glenn	Lounsbury	Snyder	Vacheron
Clark, F.E.	Gray	Matthews	Stevens	Wells
Clark, J. H.	Higbie	Messiter	Stewart	Wyckoff
Conklin	Hobbie	O'Grady	Terry, C.W.	Speaker

Those who voted in the negative, were

Berry	Douglas	Houghton	McKeon	Seibert
Brennan	Dowling	Hoysradt	McNamee	Smith, M.F.
Brownell	Finnigan	Keenan	Melody	Southworth
Butts	Foley	Keleher	Mittnacht	Stadtfeld
Cahill	Gardiner	Kelsey	O'Donnell	Stein
Callahan	Gerst	Kern	Reilly	Stone
Carroll	Gleason	Kerrigan	Rider, J.J.	Sulzer
Chapman	Gould	La Fetra	Robbins	Tobin
Corrigan	Harrigan	Lasch	Robertson	Trainor
Coughlin	Hennessy	Lee	Robinson	Van Amber
Davidson	Herrman	Loonan	Scanlon	Vehslage
Denniston	Hoefler	Marrin	Schillinger	Wieman
Dinkelspiel	Hotaling	McDermott		

Mr. Schoepflin moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 248) entitled "An act to amend the insurance law, relating to exemption of certain societies and lodges" (Int. No. 249), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dean	Herrman	Messiter	Sherwood
Baker	Denniston	Hobbie	Mitnacht	Smith, M.F.
Berry	Douglas	Hoefler	O'Donnell	Snyder
Brennan	Dowling	Hotaling	Porter	Southworth
Brownell	Eldredge	Houghton	Rider, J.J.	Stadtfeld
Burtis	Fairbrother	Keenan	Robertson	Stein
Butts	Fish	Kelsey	Robinson	Stevens
Cain	Foley	Kneeland	Robson	Sulzer
Callahan	Friday	Lawson	Ryder, E.L.	Terry, J.F.
Carroll	Gardiner	Lee	Scanlon	Tobin
Chapman	Gerst	Loonan	Schillinger	Van Amber
Clark, J. H.	Gleason	Matthews	Schulz, F.F.	Wells
Conklin	Glenn	McDermott	Schulz, H	Whittet
Corrigan	Gould	McKeon	Seibert	Wieman
Cutler	Hennessy	Melody	Sheffield	Wyckoff
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1527) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, in relation to the department of fire'" (Int. No. 1052), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Kerrigan	Porter	Stadtfeld
Baker	Dowling	Kneeland	Prescott	Stein
Brennan	Eldredge	Lasch	Rider, J.J.	Stewart
Brownell	Finnigan	Lawson	Robbins	Stone
Burtis	Foley	Lounsbury	Robertson	Taylor
Bush	Friday	Loonan	Robinson	Terry, J.F.
Butts	Gleason	Marrin	Roche	Thornton
Cain	Glenn	Matthews	Ryder, E.L.	Tilton
Callahan	Gould	McDermott	Scanlon	Trainor
Carroll	Higbie	McKeon	Schillinger	Tuttle
Chambers	Hoefler	Melody	Schoepflin	Vacheron

Clark, J. H.	Hotaling	Messiter	Schulz, F.F.	Vehslage
Conklin	Houghton	Mittnacht	Schulz, H	Wells
Corrigan	Keenan	Myers	Seibert	Whittet
Cutler	Keleher	O'Donnell	Smith, M.F.	Wieman
Davidson	Kelsey	Parkhurst	Snyder	Wilcox
Denniston	Kern	Plant	Southworth	Wray
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1272) entitled "An act to amend chapter 602 of the Laws of 1892, entitled 'An act to secure the registration of plumbers and supervision of plumbing and drainage in the cities of the State of New York'" (Int. No. 569), having been announced for a second reading,

Mr. Lawson moved to amend said bill as follows:

Section 6, line 17, after the word "record" insert the words "and in the Record and Guide;" also strike out the word "year" at end of line and insert the word "month."

Page 2, line 5, after the word "Brooklyn" insert the words "and Albany."

Page 5, line 23, after the word "Brooklyn" insert the words "and Albany."

Page 9, line 19, after the words "New York" insert the words "and Albany."

Same page, line 22, after the word "Brooklyn" insert the words "and Albany."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gardiner moved to amend said bill as follows:

Page 1, line 7, after the word "Utica" insert the words "and of the mayor of the city of Amsterdam."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was read the second time, placed on the order of third reading and referred to the committee on revision.

Mr. J. H. Clark called from the table the bill (No. 1481) entitled "An act to incorporate the Niagara, Lockport and Ontario Power Company" (Int. No. 1073), previously laid aside on the order of second reading.

On motion of Mr. J. H. Clark, said bill was amended as follows:

Page 6, line 24, after the word "company" insert the words "notice of the execution of which contract shall have been published in a newspaper published in the village, or in case no newspaper shall be published in said village, then in some newspaper

published and circulating in the county in which such village is situated, once in each week for four successive weeks previous to the execution of such contract."

Page 7, line 3, after the words "and may" insert the words "under the right of eminent domain hereinafter granted to it by this act and in pursuance thereof."

Same page, line 12, after the word "thereof" insert the words "but said company shall have no other or further right in regard to obstructing such streams or water channels as aforesaid than it would have under its right of eminent domain as hereinafter granted by this act."

Page 8, line 1, after the word "road" insert the words "but not to prevent the usual and proper use of such street, highway or road by the public as a public highway."

Page 11, strike out the whole of section 16.

Page 12, make section 17 section 16, make section 18 section 17 and make section 19 section 18.

Make section 19 read as follows:

"§ 19. Nothing in this act shall be construed to authorize the construction, maintenance or use of subways or underground ducts for the reception of telegraph or telephone conductors."

Add the following new section:

"§ 20. This act shall take effect immediately."

Said bill, as amended, was then read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1511) entitled "An act to authorize the Buffalo library to take and hold property for special purposes" (Int. No. 1310), was read the second time.

On motion of Mr. Seibert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1507) entitled "An act to amend chapter 418 of the Laws of 1879, entitled 'An act to amend chapter 501 of the Laws of 1873, entitled An act to amend an act entitled An act requiring mortgages of personal property to be filed in the town clerk's and other offices,' passed April 20, 1833" (Int. No. 1306), was read the second time.

On motion of Mr. Sherwood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1509) entitled "An act to authorize the town of Newtown, in Queens county, to convey certain real estate, being a part of its common lands" (Int. No. 1308), was read the second time.

On motion of Mr. Fairbrother, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1585) entitled "Act to amend section 1759 of the Code of Civil Procedure" (Int. No. 767), was read the second time.

On motion of Mr. La Fetra, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1458) entitled "An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York'" (Int. No. 1254), having been announced for a second reading,

Mr. Butts moved to recommit said bill to the committee on affairs of cities for a further hearing.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 49 }
{ NOES 67 }

Those who voted in the affirmative, were

Berry	Coughlin	Herrman	McDermott	Roche
Brennan	Davidson	Hoysradt	McKeon	Schillinger
Bush	Dinkelspiel	Keenan	McNamee	Southworth
Butts	Douglas	Keleher	Melody	Stadtfeld
Cahill	Dowling	Kerr	Mitnacht	Stein
Cain	Finnigan	Kerrigan	Myers	Sulzer
Callahan	Foley	La Fetra	O'Donnell	Tobin
Carroll	Gleason	Lasch	Plant	Trainor
Chapman	Harrigan	Loonan	Reilly	Vehslage
Corrigan	Hennessy	Marrin	Robinson	

Those who voted in the negative, were

Ainsworth	Friday	Kern	Robson	Terry, C.W.
Babcock	Fuller	Kneeland	Ryder, E.L.	Terry, J.F.
Baker	Gardiner	Lawson	Scanlon	Thompson
Brownell	Gerst	Lee	Schoepflin	Thornton
Burtis	Glenn	Lounsbury	Seibert	Tilton
Chambers	Gould	Matthews	Sheffield	Tuttle
Clark, F.E.	Gray	Messiter	Sherwood	Vacheron
Clark, J. H.	Higbie	O'Grady	Smith, M.F.	Van Amber
Conklin	Hoefer	Porter	Smith, S.W.	Wells
Cutler	Horton	Prescott	Snyder	Whittet
Dean	Hotaling	Rider, J.J.	Stevens	Wilcox
Eldredge	Houghton	Robbins	Stewart	Wray
Fairbrother	Keck	Robertson	Taylor	Speaker
Fish	Kelsey			

Said bill was then read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (1519) entitled "An act to authorize the making of compensation for damages to property occasioned by the change of grade of streets adjacent thereto, in the Eighth ward in the city of Brooklyn" (Int. No. 1320), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1493) entitled "An act in relation to New York avenue in the city of Brooklyn" (Int. No. 1292), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1503) entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of school houses and the payment of debts contracted for the purchase of land for school purposes" (Int. No. 1302), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1505) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city'" (Int. No. 1304), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1524) entitled "An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof'" (Int. No. 1325), having been announced for a second reading,

On motion of Mr. Ainsworth, said bill was amended as follows:

Page 2, line 2, printed bill, change the word "or" first occurring to the word "of."

Page 4, line 15, change the word "walks" to the word "side-walks."

Said bill, as amended, was then read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1556) entitled "An act for the relief of certain

churches in the twenty-third ward of the city of New York" (Int. No. 1358), was read the second time.

On motion of Mr. Butts, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1472) entitled "An act to revise the charter of the city of Watertown" (Int. No. 1200), having been announced for a second reading,

Mr. Fuller moved to amend said bill as follows:

Page 5, line 2, strike out the words "a supervisor," and in line 4, after the word "district" insert the words "and a supervisor every second year."

Page 14, line 6, change the word "ordinances" to "ordinaries."

Page 91, strike out lines 7, 8, 9, 10, 11, 12, 13.

Same page, change "§ 16" to "§ 15," "§ 17," to "§ 16," and "§ 18" to "§ 17."

Page 92, change section 19 to 18.

Same page, line 8, after the word "way" insert the word "to."

Same page, line 11, change the word "appeal" to "repeal."

Page 85, line 12, after the word "works" insert the words "or the board of health of said city."

Same page, line 18, after the word "conferred" insert the words "or any regulation or ordinance of said board of health;" also after the word "works" insert the words "or the board of health."

Same page, line 22, after the word "works" insert the words "or board of health."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was read the second time, placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1389) entitled "An act to provide for the assessment and collection of the expense of removal of snow and ice from the sidewalks of public streets and avenues in the city of New York" (Int. No. 1233), was read the second time.

On motion of Mr. Stein, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 441) entitled "An act to enable the city of Niagara Falls to acquire such lands as may be necessary to extend Pierce avenue, in said city, from Whirlpool avenue easterly to Sugar street" (Int. No. 418), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1547) entitled "An act in relation to Pierrepont

street and Remsen street in the city of Brooklyn" (Int. No. 1348), having been announced for a second reading,

On motion of Mr. Plant, said bill was amended as follows:

Page 1, line 4, after the word "street" insert the words "or upon Kent street."

Said bill, as amended, was then read the second time.

On motion of Mr. Plant, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 819) entitled "An act to amend chapter 391 of the Laws of 1893, entitled 'An act for the protection of purchasers of coal in cities of over 800,000 inhabitants and under 1,200,000 inhabitants, and providing for the enforcement thereof'" (Int. No. 758), having been announced for a second reading,

On motion of Mr. Gleason, said bill was amended as follows:

Page 2, line 13, after the word "city" insert the words "The commissioner of public works in the city of New York is hereby authorized and instructed to erect scales of a weighing capacity of not less than twelve tons each at each and every ferry on the North river, to be used by the coal inspectors before provided for, to facilitate the weighing of coal coming from New Jersey."

Said bill, as amended, was then read the second time.

On motion of Mr. Gleason, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1391) entitled "An act to amend chapter 298 of the Laws 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 198 of the Laws of 1892" (Int. No. 1238), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1565) entitled "An act to provide for the grading and other improvement of certain park lands in the city of Brooklyn, and to provide the means therefor" (Int. No. 1371), was read the second time.

On motion of Mr. Finnigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1448) entitled "An act to amend section 53 of article 2 of chapter 19 of the general highway laws of 1892" (Int. No. 1270), was read the second time.

On motion of Mr. Parkhurst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1258) entitled "An act to amend subdivision 28 of section 222 of chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws'" (Int. No. 1126), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order third reading and referred to the committee on revision.

The bill (No. 1558) entitled "An act to amend chapter 487 of the Laws of 1889, entitled 'An act to amend chapter 314 of the Laws of 1858, entitled An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes'" (Int. No. 1361), was read the second time.

On motion of Mr. Prescott, said bill was placed on the order third reading and referred to the committee on revision.

The bill (No. 1573) entitled "An act to amend chapter 689 of the Laws of 1892, as amended by chapter 440 of the Laws of 1893, being an act entitled 'An act in relation to banking corporations'" (Int. No. 1334), was read the second time.

On motion of Mr. Thompson, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Fish moved that the House take up the order of business "Reports of Committees."

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 69 }
{ NOES 47 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Ryder, E.L.	Terry, J.F.
Babcock	Friday	Kneeland	Scanlon	Thompson
Baker	Gardiner	Lawson	Schoepflin	Thornton
Brownell	Gerst	Lee	Schulz, F.F.	Tilton
Burtis	Glenn	Lounsbury	Schulz, H	Tuttle
Chambers	Gould	Matthews	Seibert	Vacheron
Clark, F.E.	Higbie	Messiter	Sheffield	Van Amber
Clark, J. H.	Hobbie	O'Grady	Sherwood	Wells
Conklin	Hoefler	Porter	Smith, M.F.	Whittet
Cutler	Horton	Prescott	Smith, S.W.	Wilcox
Dean	Hotaling	Rider, J.J.	Snyder	Wray
Denniston	Houghton	Robbins	Stewart	Wyckoff
Eldredge	Keck	Robertson	Stone	Speaker
Fairbrother	Kelsey	Robson	Terry, C.W.	

Those who voted in the negative, were

Berry	Davidson	Hoysradt	McDermott	Schillinger
Brennan	Dinkelspiel	Keenan	McKeon	Southworth
Bush	Douglas	Keleher	McNamee	Stadtfeld
Butts	Dowling	Kerr	Melody	Stein
Cahill	Finnigan	Kerrigan	Mittnacht	Sulzer
Cain	Foley	La Fetra	Myers	Taylor
Callahan	Gleason	Lasch	O'Donnell	Tobin
Carroll	Harrigan	Loonan	Plant	Trainor
Corrigan	Hennessy	Marrin	Roche	Vehslage
Coughlin	Herrman			

The bill (No. 1180) entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (Int. No. 1048), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1525) entitled "An act empowering the supervisor and commissioner of highways of the town of Plattsburgh to purchase a stone crusher and power to provide for the working of highway assessments in connection therewith" (Int. No. 1326), was read the second time.

On motion of Mr. Baker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1363) entitled "An act in relation to the practice of pharmacy" (Int. No. 1197), having been announced for a second reading,

On request of Mr. Carroll, said bill was laid aside.

The bill (No. 1430) entitled "An act to ratify and confirm the constitution of the Seneca nation of Indians, adopted on the 13th day of January, 1893" (Int. No. 1250), was read the second time.

On motion of Mr. C. W. Terry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1315) entitled "An act to prohibit the killing, wounding, catching and pursuit of wild animals, wild birds and fish, and attempts thereat in the State of New York by persons not citizens of the United States, without a license therefor" (Int. No. 1159), was read the second time.

On motion of Mr. Baker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1300) entitled "An act to amend the Revised

Statutes, relating to temporary relief of the poor" (Int. No. 1141), was read the second time.

On motion of Mr. Schoepflin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1485) entitled "An act to provide for the care and support by the State of pauper Indians" (Int. No. 1284), was read the second time.

On motion of Mr. C. W. Terry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1450) entitled "An act to amend chapter 104 of the Laws of 1872, entitled 'An act in relation to trustees and directors of charitable and benevolent institutions'" (Int. No. 1273), was read the second time.

On motion of Mr. Dinkelspiel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 201) entitled "An act to prevent the drawing of seines, and to protect spawning beds in Croton bay, south of Croton Point" (Int. No. 200), was read the second time.

On motion of Mr. E. L. Ryder, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1304) entitled "An act authorizing the construction of wheelways along highways" (Int. No. 1145), was read the second time.

On motion of Mr. Porter, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1168) entitled "An act to repeal chapter 353 of the Laws of 1893, entitled 'An act for the preservation of the public peace, the protection of private property, maintenance of law and order, the licensing of public hacks, vehicles, venders, shows, concerts and public amusements in the town of Flatlands, in the county of Kings'" (Int. No. 1025), was read the second time.

On motion of Mr. Friday, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1510) entitled "An act to amend section 4 of title 3 of chapter 200 of the Laws of 1873, entitled 'An act to amend the charter of the village of Addison, in the county of Steuben, incorporated under chapter 426 of the Laws of 1847,' as amended by chapter 511 of the Laws of 1884" (Int. No. 1309), having been announced for a second reading,

On motion of Mr. M. F. Smith, said bill was amended as follows:

Page 3, line 13, strike out the word "elever" and insert the word "eleven"; also, in same page, same line, after the word "o'clock" insert the word "five"; also, in same line, strike out the word "three" and insert the word "five."

Said bill, as amended, was read the second time.

On motion of Mr. M. F. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1351) entitled "An act to amend chapter 231 of the Laws of 1876, relating to the office of supervisor in Erie county" (Int. No. 1353), was read the second time.

On motion of Mr. Schoepflin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1564) entitled "An act to provide the village of Lansingburgh with a police-station house, and to issue bonds therefor" (Int. No. 1370), was read the second time.

On motion of Mr. Chambers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 795) entitled "An act to regulate the employment of prison labor in the manufacture of brooms and brushes made of broom-corn" (Int. No. 746), was read the second time.

On motion of Mr. Whittet, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 437) entitled "An act to encourage and to promote the professional training of teachers" (Rec. No. 222), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

The privileges of the floor were granted to Hon. Charles H. Russell, a former member of this House.

The hour of 6.30 P. M. having arrived, the House adjourned.

THURSDAY, APRIL 12, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Canon Hathaway.

On motion of Mr. Matthews, the journal of yesterday was approved without being read.

By unanimous consent,

Mr. Babcock introduced a bill entitled "An act to make the office of sheriff of Steuben county a salaried office in part, and to regulate the management of said office" (Int. No. 1471), which was read the first time and referred to the committee on general laws.

A message from the Senate was received and read in the words following:

IN SENATE, *April 22, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly the Governor returned the Senate bill (No. 392) entitled "An act defining the status of certain town cemetery associations" (Int. No. 175).

The vote on the final passage of said bill having been reconsidered,

On motion of Mr. Coggeshall, and by unanimous consent, said bill was amended by substituting the following therefor:

AN ACT to amend the town law, relating to town cemeteries.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 193 of the town law is hereby amended to read as follows:

§ 193. Electors may choose trustees of burial-grounds. The electors of any town may, at an annual town meeting choose three or five persons to act as a board of trustees of any burial-grounds within the limits of and belonging to the town, as such electors may designate, and direct the supervisor of the town to convey by deed to such board of trustees, and their successors in office, for the purposes hereinafter mentioned, the lands already composing such grounds; and also any other lands that may be hereafter acquired for the purposes of enlarging such grounds. Such electors may also fill any vacancies that may occur in the board of trustees. Such boards of trustees, and all boards of trustees, heretofore created pursuant to chapter 46 of the Laws of 1873, are hereby declared to be corporate bodies, under the name of the board of trustees of the cemetery, for which they are chosen respectively, capable of suing and being sued as such, and of taking and holding gifts and bequests of personal property for the care and improvement of the cemeteries under their charge, or any lot therein.

§ 2. This act shall take effect immediately.

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Prescott	Sulzer
Babcock	Fuller	Kneeland	Rider, J.J.	Taylor
Baker	Gardiner	Lawson	Robbins	Terry, C.W.
Berry	Gerst	Lee	Robertson	Terry, J. F.
Braun	Glenn	Lounsbury	Robson	Thompson
Brownell	Gould	Marrin	Roche	Thornton
Burtis	Gray	Matthews	Scanlon	Tilton
Bush	Herrman	McDermott	Schoepflin	Tuttle
Chambers	Higbie	McNamee	Schulz, H	Vacheron
Clark, F.E.	Hobbie	Melody	Seibert	Van Amber
Clark, J. H.	Hoefler	Messiter	Sherwood	Vehslage
Conklin	Hotaling	Mitnacht	Smith, M.F.	Wells
Cutler	Houghton	Myers	Smith, S.W.	Whittet
Dean	Howe	O'Donnell	Snyder	Wieman
Denniston	Keck	O'Grady	Stein	Wilcox
Eldredge	Keleher	Parkhurst	Stevens	Wyckoff
Fairbrother	Kelsey	Porter		

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kerr	Rider, J.J.	Sulzer
Babcock	Friday	Kern	Robbins	Taylor
Baker	Fuller	Kneeland	Robertson	Terry, C.W.
Braun	Gardiner	Lawson	Robson	Terry, J.F.
Brownell	Gerst	Lee	Scanlon	Thompson
Burtis	Glenn	Lounsbury	Schillinger	Thornton
Bush	Gould	Marrin	Schoepflin	Tilton
Chambers	Gray	Matthews	Schulz, H	Trainor
Clark, F.E.	Herrman	McDermott	Seibert	Tuttle
Clark, J. H.	Higbie	Melody	Sherwood	Vacheron
Conklin	Hobbie	Messiter	Smith, M.F.	Van Amber

Davidson	Horton	Myers	Smith, S.W.	Vehslage
Dean	Hotaling	O'Grady	Snyder	Wells
Denniston	Houghton	Parkhurst	Stadtfield	Whittet
Dinkelspiel	Keck	Porter	Stevens	Wieman
Dowling	Keleher	Prescott	Stone	Wyckoff
Eldredge	Kelsey			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read, in the words following:

IN SENATE, *April 12, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly the Governor returned the Senate bill No. 666, entitled "An act to amend section 5 of chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association'" (Int. No. 191).

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Parker, and by unanimous consent, said bill was amended by substituting the following therefor:

AN ACT to amend chapter 115 of the Laws of 1841, entitled "An act to incorporate the Albany Cemetery Association."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section five of chapter one hundred and fifteen of the laws of eighteen hundred and forty-one, entitled "An act to incorporate the Albany Cemetery Association," is hereby amended so as to read as follows:

§ 5. The said plats or lots, when conveyed by said corporation to individual proprietors, shall be indivisible, but may be held and owned in undivided shares. The said corporation may establish regulations as to depth, size and mode of construction of the foundations for monuments and tomb-stones to be erected on any of the lots within such cemetery, in order that such foundations shall be permanent and the monuments and tomb-stones shall be firm and stable; and whenever such corporation is ready and willing to build such foundations itself in a substantial manner it may forbid the building of such foundations by workmen other than those in its own employ.

§ 2. This act shall take effect immediately.

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 {
 { NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Porter	Stevens
Babcock	Eldredge	Keck	Prescott	Stone
Baker	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Berry	Fish	Kern	Robbins	Taylor
Brownell	Friday	Kerrigan	Robertson	Terry, C.W.
Burtis	Fuller	Kneeland	Robson	Terry, J.F.
Bush	Gardiner	La Petra	Ryder, E.L.	Thompson
Carroll	Gerst	Lawson	Scanlon	Tilton
Chambers	Gleason	Lee	Schoepflin	Trainor
Clark, F.E.	Glenn	Lounsbury	Schulz, H	Tuttle
Clark, J. H.	Gould	Matthews	Seibert	Vacheron
Conklin	Gray	Melody	Sherwood	Van Amber
Coughlin	Higbie	Messiter	Smith, M.F.	Wells
Cutler	Hobbie	Myers	Smith, S.W.	Whittet
Dean	Hoefer	O'Donnell	Snyder	Wieman
Denniston	Horton	O'Grady	Stadtfeld	Wilcox
Dinkelspiel	Hotaling	Parkhurst	Stein	Wyckoff

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 {
 { NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Porter	Stone
Babcock	Fairbrother	Keleher	Prescott	Sulzer
Baker	Fish	Kelsey	Rider, J.J.	Taylor
Braun	Friday	Kerr	Robbins	Terry, C.W.
Brownell	Fuller	Kern	Robertson	Terry, J.F.
Burtis	Gardiner	Kneeland	Robson	Thompson
Bush	Gerst	Lawson	Ryder, E.L.	Thornton
Chambers	Glenn	Lee	Scanlon	Tobin
Clark, F.E.	Gould	Lounsbury	Schoepflin	Trainor
Clark, J. H.	Gray	Marrin	Schulz, H	Vacheron
Conklin	Hennessy	Matthews	Seibert	Van Amber
Corrigan	Herrman	McDermott	Sherwood	Wells

Cutler	Higbie	Melody	Smith, M.F.	Whittet
Dean	Hobbie	Messiter	Smith, S.W.	Wieman
Denniston	Hoefler	Myers	Stadtfeld	Wilcox
Douglas	Hotaling	O'Grady	Stein	Wyckoff
Dowling	Houghton	Parkhurst	Stevens	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The privileges of the floor were granted to Messrs. Charles T. Dunning, former Clerk of the Senate, John Clark and Thomas Finnegan, former members of this House, and to Samuel J. Foley, Jr., son of Hon. Samuel J. Foley, present member of this House.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

"An act to authorize the purchase of a suitable site in the city of Cohoes, and to erect thereon a city hall and station-house and jail, and to provide means to defray the expense thereof." (No. 814, Int. No. 748.)

"An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies, and the acts amendatory thereof, relating to trustees.'" (No. 1095, Int. No. 985.)

"An act relative to the Brooklyn Society for the Prevention of Cruelty to Children" (No. 647, Int. No. 610.)

"An act to amend section 47 of title 15 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, as amended by chapter 247 of the Laws of 1891, relating to contract for cleaning streets and removing ashes therefrom in said city.'" (No. 427, Int. No. 409.)

"An act to incorporate the American Baptist Missionary Union." (No. 1053, Int. No. 737.)

"An act to incorporate the Provident Loan Society of New York." (No. 847, Int. No. 782.)

"An act to authorize the State Board of Claims to hear, audit and determine the claim of the county of Essex against the State of New York, for erroneous and excessive taxes paid by said county in the year 1893, to the State of New York, and to make an award therefor." (No. 758, Int. No. 707.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to actions and special proceedings against the city of Brooklyn, and so as to provide for the adjustment of claims against said city." (No. 820, Int. No. 754.)

"An act to prohibit the sale and use of strong or spirituous liquors on board of excursion boats leaving New York city." (No. 826, Int. No. 760.)

"An act to amend the Code of Civil Procedure, relating to commissions to take testimony in special proceedings." (No. 812, Int. No. 694.)

"An act to amend the town law, relating to division fences." (No. 967, Int. No. 540.)

"An act to amend chapter 400 of the Laws of 1854, entitled 'An act allowing the continued use of copartnership names in certain cases.'" (No. 944, Int. No. 873.)

"An act to authorize the trustees of the village of Saratoga Springs to borrow money for furnishing and equipping the village hall." (No. 971, Int. No. 882.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the compensation of laborers or employes in the department of public parks." (No. 1122, Int. No. 830.)

"An act to enable the corporation of the Bowery Village Methodist Episcopal Church of the east circuit of the city of New York, to assign and convey certain real estate to the New York City Church Extension and Missionary Society of the Methodist Episcopal Church." (No. 907, Int. No. 835.)

"An act to amend the county law, relating to the compensation of the county judge of Oneida county." (No. 1193, Int. No. 1062.)

"An act to extend the time of the Little Falls, Van Hornesville and Otsego Lake Narrow Gauge Railroad Company to begin the construction of its road and expend thereon ten per cent of the amount of its capital, and finish and put the same in operation." (No. 1145, Int. No. 1010.)

"An act authorizing the village of Little Falls to issue bonds

to raise money to pay its floating indebtedness." (Not printed, Int. No. 1443.)

"An act to amend the Code of Civil Procedure, relating to justices' transcripts." (No. 542, Int. No. 82.)

"An act to grant and release to Thomas Gallagher and William Maxon the estate, right, title and interest of the people of the State of New York, in and to certain land taken and appropriated for the abandoned Chenango canal, upon certain conditions and for the protection of public health." (No. 404, Int. No. 117.)

"An act to amend the Military Code, in relation to parades and drills by members of the order of the Sons of Veterans." (No. 167, Int. No. 171.)

"An act to amend the Code of Civil Procedure, relating to places in which actions must be brought." (No. 217, Int. No. 219.)

"An act to provide the means, and making an appropriation to pay the expenses of superintendence, maintenance and ordinary repairs of the canals for the fiscal year commencing on the first day of October, 1894." (No. 267, Int. No. 269.)

"An act to amend chapter 538 of the Laws of 1889, entitled 'An act to apply to the Cornell University the benefits of the act of Congress of the United States, approved March 2, 1887, entitled An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862,' and of the acts supplementary thereto." (No. 276, Int. No. 272.)

"An act to amend chapter 545 of the Laws of 1893, entitled 'An act to provide for the construction of drains, sewers and culverts in towns, unincorporated villages and hamlets,' in relation to issuing bonds for such improvements." (No. 307, Int. No. 298.)

"An act to consolidate and facilitate the collection of taxes and assessments in Richmond county." (No. 459, Int. No. 69.)

"An act to amend chapter 187 of the Laws of 1862, entitled 'An act to incorporate the Board of Foreign Missions of the Presbyterian Church in the United States of America, and to regulate the number of trustees.'" (No. 848, Int. No. 783.)

Ordered, That the Clerk deliver said bills to the Governor.

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 10, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill No. 595, entitled "An act to amend section 116 of the 2, chapter 3 of part 4 of the Revised Statutes, relating to State prisons." (Int. No. 559.)

ROSWELL P. FLOWER.

Mr. O'Grady moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three fifths being present.

} AYES 83 }
} NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Robertson	Sulzer
Babcock	Fish	Kelsey	Robson	Taylor
Baker	Friday	Kern	Ryder, E.L.	Terry, C.W.
Braun	Fuller	Kneeland	Scanlon	Terry, J.F.
Brownell	Gardiner	Lawson	Schoepflin	Thompson
Burtis	Gerst	Lee	Schulz, H	Thornton
Bush	Glenn	Lounsbury	Seibert	Tobin
Carroll	Gould	Matthews	Sheffield	Trainor
Chambers	Gray	Melody	Sherwood	Tuttle
Clark, F.E.	Herrman	Messiter	Smith, M.F.	Vacheron
Clark, J. H.	Higbie	Myers	Smith, S.W.	Van Amber
Conklin	Hobbie	O'Grady	Snyder	Wells
Cutler	Hoefler	Parkhurst	Stadtfeld	Whittet
Dean	Horton	Porter	Stein	Wilcox
Denniston	Hotaling	Prescott	Stevens	Wray
Dowling	Houghton	Rider, J.J.	Stone	Wyckoff
Eldredge	Keck	Robbins		

On motion of Mr. O'Grady, and by unanimous consent, said bill was amended as follows:

Strike out the last word "the" in second line of title, and insert the word "title."

Strike out the word "white" twice occurring before the word

"shirts," once in fourth line from beginning of section 116, and once in fourth line from end of section 116.

At the end of section 116, change the period to a semicolon, and insert thereafter the words "provided however that the prisoners in the Kings county penitentiary may be employed in manufacturing unlaundried negligeé shirts, collars and cuffs."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Porter	Stevens
Babcock	Fairbrother	Kelsey	Reilly	Stone
Baker	Fish	Kerr	Rider, J.J.	Sulzer
Braun	Friday	Kern	Robbins	Taylor
Brownell	Fuller	Kneeland	Robertson	Terry, C.W.
Burtis	Gardiner	Lav. son	Robson	Terry, J.F.
Bush	Gerst	Lee	Ryder, E.L.	Thompson
Callahan	Glenn	Lounsbury	Scanlon	Tilton
Carroll	Gould	Marrin	Schoepflin	Trainor
Chambers	Gray	Matthews	Schulz, H	Tuttle
Chapman	Herrman	McKeon	Seibert	Vacheron
Clark, F.E.	Higbie	Melody	Sherwood	Van Amber
Clark, J. H.	Hobbie	Messiter	Smith, M.F.	Vehslage
Conklin	Hoefler	Myers	Smith, S.W.	Whittet
Cutler	Horton	O'Donnel	Snyder	Wieman
Dean	Hotaling	O'Grady	Stadtfeld	Wray
Denniston	Houghton	Parkhurst	Stein	Wyckoff
Dowling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill, not printed, entitled "An act for the relief of Temple Israel of Harlem and authorizing it to use that name" (Rec. No. 219), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate,

with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the reports of committees who had had leave given them to report.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 300, entitled "An act to reappropriate money for the erection of a State armory in the city of Cohoes as provided in chapter 377 of the Laws of 1888, and as reappropriated by chapter 75 of the Laws of 1890, and as reappropriated by chapter 464 of the Laws of 1892 with an additional appropriation," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 301, entitled "An act making a reappropriation for the erection of a State armory in the city of Utica," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Burtis, Int. No. 1402, entitled "An act to amend chapter 583 of the Laws of 1883, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to contracts," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sheffield, Int. No. 1210, entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stadtfeld, Int. No. 1178, entitled "An act to provide for the payment of the salary of John A. Stemmler, of the district court of the city of New York, for the Seventh judicial district," reported in favor of the passage of

the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Carroll, Int. No. 1410, entitled "An act to enable the city of Albany to procure additional land for park purposes," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Marrin, Int. No. 1226, entitled "An act to provide for the construction of a bridge over the Mott Haven canal at One Hundred and Thirty-eighth street, in the city of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Herrman, Int. No. 1317, entitled "An act to amend subdivision 8 of the 21st paragraph of section 194 of chapter 410 of the Laws of 1862, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to St. John's Guild," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Corrigan, Int. No. 702, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dean, Int. No. 1380, entitled "An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Taylor, Int. No. 1404,

entitled "An act respecting the office of the keeper and assistant keeper of the hall of records in the city of Brooklyn, county of Kings," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. F. E. Clark, Int. No. 1493, entitled "An act in relation to Marcy avenue in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Davidson, Int. No. 1412, entitled "An act to amend section 5 of chapter 492, entitled 'An act to provide for the construction of a drawbridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Burtis, Int. No. 1006, entitled "An act to provide for the annexation of the county towns of Kings county to the city of Brooklyn, and to merge the city and county governments," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Scanlon, Int. No. 1424, entitled "An act in relation to the extension and improvement of Liberty avenue, in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Friday, Int. No. 1393, entitled "An act in relation to Pacific street in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was

referred the bill introduced by Mr. Roche, Int. No. 1339, entitled "An act to provide for the issue of bonds for the extension of that portion of Van Cortlandt Park, designated as a military parade, camp and drill ground, in the city of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keck, Int. No. 1458, entitled "An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Collins, Rec. No. 338, entitled "An act to amend chapter 576 of the Laws of 1893, entitled 'An act relative to the water works department of the city of Troy and to provide for an increased supply of water in the said city,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Guy, Rec. No. 286, entitled "An act relating to avenue A in the city of New York," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Stadtfeld, said bill was substituted for Assembly bill No. 1417, Int. No. 1128, same title and subject, now on the order of third reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wolff, Rec. No. 345, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to reporting deaths, births and marriages," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was

referred the Senate bill introduced by Mr. Reynolds, Rec. No. 328, entitled "An act to provide for the building of a pier between certain streets in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McNamee, Int. No. 1299, entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872," reported in favor of the passage of the same with the following amendment :

Page 4, line 12, after the word "thereby" insert the words "nothing herein contained shall authorize the production or examination of the books or papers of a private person or corporation or the examination of such person or the officer of such corporation as a witness."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 1449, entitled "An act to authorize local authorities to contract for the purification of water and sewerage," reported in favor of the passage of the same, with the following amendment:

Page 1, lines 7 and 8, strike out the words "They may so contract in the same manner that they are now authorized to make other contracts."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lexow, Rec. No. 331, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of police commissioners in said city," reported in favor of the passage of the same, with the following amendments:

Section 266, line 21, insert between the words "the" and "force" the word "uniformed," and strike out the words "below the rank of captain."

HAMILTON FISH,
Chairman.

Which report was agreed to.

Mr. Sulzer moved that said bill be printed as amended; and made a special order at 12 o'clock next Tuesday for second and third readings.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Kneeland, Int. No. 1466, entitled "An act to amend section 1384 of the Code of Civil Procedure, relating to executions," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Kneeland, and by unanimous consent, said bill was read the second time and placed on the order of third reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Dowling, Int. No. 1392, entitled "An act to amend subdivision 2 of section 2862 of the Code of Civil Procedure, relative to jurisdiction of justices' courts," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Kneeland, Int. No. 1430, entitled "An act to amend the Code of Civil Procedure, relating to attachments," reported in favor of the passage of the same, with the following amendments:

Page 2, line 13, after the word "agent" insert the words "made with his knowledge and acquiescence."

Page 3, line 11, after the word "agent" insert the words "made with his knowledge and acquiescence."

Same page, line 16, strike out the word "immediately" and insert the words "September 1, 1894."

W. C. PRESCOTT,
Chairman.

Which report was agreed to.

On motion of Mr. Kneeland, and by unanimous consent, said bill was read the second time and placed on the order of third reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Sulzer, Int. No. 1389, entitled "An act to amend sections 899 and 911 of the Code of Criminal Procedure," reported in favor of the passage of the same, with the following amendments:

Page 1, strike out all of section 1.

Page 2, change section 2 to section 1.

Same page, line , strike out the word "said" and insert the word "the;" and after the word "Code" insert the words "of Criminal Procedure."

Same page, change section 3 to section 2.

Same page, line 12, strike out the word "immediately" and insert the words "September 1, 184."

Amend the title by striking out the words "eight hundred and ninety-nine and."

W. C. PRESCOTT,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Lawson, Int. No. 1323, entitled "An act to amend section 3374 of the Code of Civil Procedure, relating to the abandonment and discontinuance of condemnation proceedings," reported in favor of the passage of the same, with the following amendments:

Page 1, line 5, strike out the words "any party" and insert the words "the plaintiff."

Same page, line 8, after the word "proceeding" insert the words "who have appeared therein."

Page 2, line 3, change the word "cost" to "costs."

Same page, line 12, after the word "plaintiff" insert the words "the order granting such application, if permitting a renewal of such proceedings, shall provide that."

Same page, line 16, strike out the word "immediately" and insert the words "September 1, 1894."

W. C. PRESCOTT,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was

referred the Senate bill introduced by Mr. McMahon, Rec. No. 210, entitled "An act to amend the Penal Code," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Cutler, Int. No. 1349, entitled "An act to amend chapter 277 of the Laws of 1889, entitled 'An act to amend chapter 420 of the Laws of 1880, entitled An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Plant, Int. No. 1343, entitled "An act to amend chapter 398 of the Laws of 1875, passed May 20, 1875, entitled 'An act to amend an act entitled An act to authorize William Beard and others to erect, construct, build and maintain sea walls or break-water piers, docks, wharves, bulkheads, piers and warehouses, and a basin for commercial use in front of their lands in the Twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title passed April 13, 1866," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill recommitted to the committee on commerce and navigation.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Wray, Int. No. 1318, entitled "An act to establish and settle the pierhead and bulkhead lines along the easterly shore of New York harbor, at Bay Ridge, in the town of New Utrecht, in the county of Kings," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Robinson, Int. No. 1314, entitled "An act to authorize and provide for the construction of bridges over Newtown creek, for the purpose of public travel between the counties of Kings and Queens," reported in

favor of the passage of the same without amendment, which report was agreed to, and said bill ordered recommitted to the committee on commerce and navigation for a further hearing.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Cahill, Int. No. 1212, entitled "An act to authorize the city of Brooklyn to construct a public pier at the foot of State street, in the city of Brooklyn, and to acquire land necessary for the same, and to provide for the payment therefor," reported in favor of the passage of the same, without amendment (Mr. Higbie dissenting), which report was agreed to, and said bill placed on the order of second reading.

A message from the Senate was received informing the House that they had agreed to the report of the committee of conference on the bill (No. 1468) entitled "An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1253), in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference, relative to the matters of difference existing between the two houses upon the Assembly bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," report that they have duly conferred upon said matters and agreed to recommend as follows:

That the Assembly do concur in the following amendments to the bill as they were adopted in the Senate, viz.:

Page 3, after line 23, insert the following:

"For the Comptroller \$2,500 for salary of expert to be appointed by him to examine the books of the incorporated racing associations of the State and to make such investigations as may be necessary to ascertain the amount of the tax payable by such associations, and \$700, or so much thereof as may be necessary, for traveling and other expenses of the said experts herein provided are the amounts to be paid from the funds collected from the said associations."

Page 8, lines 3 and 4, strike out the words "of the financial affairs and business administration."

Page 9, line 1, change the word "clerk" to "clerks;" also, after the word "the" insert the words "Senate and."

Same page, line 2, strike out the words "forty-seven hundred" and insert the words "nine thousand."

Same page, line 4, strike out the word "in" and insert the word "and."

Same page, after line 21, insert the following :

"For printing and binding the registry books for 1894, under the direction of the Secretary of State, as provided by section 40 of chapter 680 of the Laws of 1892, the sum of \$3,500."

Page 8, after line 26, insert the following :

"For the Comptroller for compensation of employes and for expenses in enforcing the provisions of the general appropriation act of 1894, providing for the monthly estimate of expenditures and the rendering of accounts of State charitable and reformatory institutions other than the State prisons, State hospitals for the insane, the Oneida State Custodial Asylum, the sum of \$15,000, or so much thereof as may be necessary.

"For deficiency in appropriation for expenses of transportation of the session laws, journals and documents of the Legislature, reports, books and packages by express or freight for public officers and for boxes therefor, \$2,000, or so much thereof as may be necessary."

Page 10, after line 11, insert the following :

"For the State Weather Bureau to be expended under the direction of the commissioner of agriculture, the sum of \$4,500, or so much thereof as may be necessary, for the prosecution of its work to the close of the next fiscal year, pursuant to the provisions of the agricultural law."

Page 10, after line 20, insert the following :

"For the State Engineer and Surveyor for restoring and placing monuments on the boundary line of the State, pursuant to chapter 421 of the Laws of 1887, and for traveling and other expenses incurred in making examinations, surveys and maps required by his department, \$6,000, or so much thereof as may be necessary."

Same page, line 24, strike out the word "five" and insert the word "three," and after the word "thousand" insert the words "five hundred."

Page 12, after line 10, insert the following :

"For the Board of Railroad Commissioners for an inspector of bridges, the sum of \$3,000 ; this amount to be paid by the Comptroller upon the requisition of the Board of Railroad Commissioners, and to be refunded to the treasury by the several corporations owning or operating railways in this State in such manner and proportion as is prescribed by law."

Same page, line 26, after the words "two thousand" insert the words "two hundred."

Page 13, line 2, after the word "to" insert the words "section 129 of," and strike out the word "six" and insert the word "five."

Same page, line 3, strike out the word "eleven" and insert the words "fifty-nine," and strike out the words "eighty-seven" and insert the words "ninety-three."

Page 13, after line 6, insert the following:

"For the Adjutant-General, for fees of counsel employed, and

necessary expenses in prosecuting the suit of the State of New York against the United States, the petition of which was filed February 7, 1889, to recover the sum of \$131,000, and now pending in the Supreme Court of the United States, the sum of \$1,000, or so much thereof as may be necessary, to be paid upon vouchers approved by the Adjutant-General and the Governor."

"For the Adjutant-General, for services and necessary traveling expenses in prosecuting the war claims of the State against the United States, under his direction, \$5,000, or so much thereof as may be necessary, to be approved by the Governor as commander-in-chief."

"For the Adjutant-General, for the construction of a gallery and furnishing of chairs for the State armory at Troy, the sum of \$2,900."

Same page, line 17, strike out the word "fifteen" and insert the word "twelve."

Page 14, line 20, strike out the word "three" and insert the word "two;" also, strike out the word "twelve" and insert the word "sixty-six."

Same page, line 21, strike out the word "three" and insert the word "four;" also, commencing with the word "entitled" strike out all down to and including the word "therein" line 25.

Same page, line 25, strike out the word "ten" and insert the word "fifteen."

Page 15, line 23, after the word "dollars" strike out the balance of the line, and all of lines 24, 25 and 26.

Page 16, line 1, strike out the words "house \$2,000;" also line 2, strike out the words "for morgue \$2,000;" also lines 5 and 6, strike out the words "for ice house near lake for cottages, \$1,600."

Same page, after line 10, insert the following:

"For electric-light plant at said hospital, \$15,600; for new locks on principal doors of main building, \$300; for rental of land which accrued prior to October 1, 1893, \$375."

"To the Hudson River State Hospital, for compensation to George W. Hill, an employe of such hospital, for damages, costs and expenses incurred by said Hill in an action brought in the county court of Dutchess county by Marie Anspach against said George W. Hill for an alleged illegal arrest and detention of the plaintiff while said Hill was in the performance of his duties, the sum of \$250, or so much thereof as may be necessary."

Page 17, after line 14, insert the following:

"For the employment of clergymen at the Willard State Hospital, the sum of \$1,000 is hereby appropriated, to be spent under the direction of the board of trustees."

Page 18, line 11, after the word "necessary" insert the words "for erecting and enclosing a building to accommodate 100 employes for the purpose of bringing the total capacity of the hospital up to the accommodation of 1,300 patients; \$46,450, or so

much thereof as may be necessary, and for enlarging and furnishing dining-room extension, observation cottage, east, and dining-room extension, observation cottage, west, \$13,600.

Same page, after line 26, insert the following :

"To protect the grounds on which the boiler-house and pumping station at said Binghamton Hospital are situated, from encroachments of the river, the sum of \$2,400, and for the erection of a coal trestle adjacent to the boiler-house and pumping station, the sum of \$4,300 ; for setting out trees and shrubs on the grounds and improving the same, the sum of \$500."

Page 19, line 11, strike out the word "seventy" and insert the word "fifty."

Same page, line 25, strike out the word "sixteen" and insert the word "fourteen."

Same page, line 26, strike out the word "seven" and insert the word "two;" also, after the word "thousand" insert the words "five hundred."

Same page, line 13, after the word "appropriation" insert the words "which may be required for the completion of the westerly wing."

Same page, line 21, strike out the words "this appropriation" and insert "the amount so required."

Page 20, lines 6 and 7, strike out the words "for vegetable propagating house and green house, \$3,000."

Same page, line 16, strike out the word "fifteen" and insert the word "ten."

Same page, after line 17, insert the following :

"For the Middletown State Homœopathic Hospital, for general repairs, \$5,000 ; for new ceilings in addition to those already put in, \$6,951.79 ; for two hot-water boilers for nurses' cottages, \$150 ; for still for distilling pure water for medicine, \$112."

"For compensation of officers and employes of the Western House of Refuge for Women, for the maintenance of the institution and transportation of convicts, \$10,000."

Page 20, after line 17, insert the following :

"The sum of \$2,150.08, being the unexpended balance of appropriation of chapter 356 of the Laws of 1892 for boiler and coal house for the Western House of Refuge for Women, is hereby reappropriated for the same purpose."

Same page, after line 24, insert the following :

"No money shall be expended for the erection of additional buildings of the State hospitals, or repairs or improvements to the same, except upon plans to be approved by the State Commission in Lunacy, nor shall an expenditure of moneys for any other purposes for said hospitals be made except in conformity with the provisions of chapter 214 of the Laws of 1893, and the acts amendatory thereof and supplemental thereto.

"For the Syracuse State Institution for Feeble-Minded Children, to be expended under the direction of the local board of managers,

to replace the frame porch and corridor connecting the main building, rear extension and north wing by an enclosed brick structure, and for an iron stairway therefrom to the boys' dormitory, \$4,750; for excavation and lowering the foundation walls and grouting the cellars under the dining room and bakery at the boys' building, \$820; for providing and laying new floors and steel ceilings in various parts of the buildings, \$2,000; and for repainting the main building north and south wings, \$1,000; for renewals of coverings to steam pipes, \$600, or as much thereof as may be necessary."

Page 21, strike out all of lines 8, 9 and 10.

Same page, line 15, strike out the word "fourteen" and insert the word "fifteen."

Page 22, line 20, strike out the word "thirty" and insert the word "twenty."

Same page, after line 25, insert the following items:

"For the construction of a pipe line for fresh water supply for Hoffman and Swinburne Islands in the lower bay of New York, \$8,000.

"For the Health Officer of the Port of New York, for expense of maintenance and repairs on Fire Island and for the salaries of superintendent, watchman and other employes during the year 1893, \$5,000.

"For the Health Officer of the Port of New York, for expense of maintenance and repairs on Fire Island, and for the salaries of superintendent, watchman and other employes during the year 1894, \$5,000.

"The Health Officer of the Port of New York is hereby authorized to lease for hotel purposes only the property of the State, known as Fire Island, from year to year, with the right, however, in case of necessity to terminate said lease and re-enter said property, said lease as to form and rental to be approved by the Governor and Attorney-General.

"For John V. Berry for work done for joint tax committee of 1892 and 1893, the sum of \$960.

"For services and expenses of counsel, Owen Cassidy, employed in the matter of the investigation of the New York State Board of Health, the sum of \$3,000, or so much thereof as may be certified by the chairman of the Senate investigating committee of the special committee appointed by the President pro tem. of the Senate, to be sufficient compensation for the services and expenses of said counsel.

"For Kathrine Lydig Brady, widow of the late John R. Brady, a justice of the Supreme Court, for the first judicial district, who died March 17, 1891, so much of the annual compensation of said judge for the year 1891, as would have been earned by him had he continued to live until the close of that year, the sum of \$4,725.80.

"For supplying the Deaf-Mutes Journal to the indigent deaf and dumb in this State, the sum of \$650.

"For Charles V. Schram, Sergeant-at-Arms of the Senate, for expenses necessarily incurred by him in the attendance of the committees of the Senate and Assembly at the funeral of the late Hon George Z. Erwin, of Potsdam, N. Y., pursuant to a joint resolution of the Senate and Assembly, dated the 16th day of January, 1894, the sum of \$333.25.

"For repairs and alterations to the ante-rooms and corridor of the Senate Chamber as may be directed by the finance committee of the Senate, the sum of \$1,000, or so much thereof as may be necessary.

"For Elon R. Brown for services and expenses as counsel in the Court of Appeals of this State and the Supreme Court of the United States in the case of George W. Lawton and another against William N. Steel, said action being for the purpose of testing the constitutionality of the act authorizing fish and game protectors to destroy nets, etc., used in illegal fishing, \$1,625, to be payable on the approval of the Attorney-General.

"For the purchase of three several lots of land adjoining the Senate house property and fronting on Fair street, in the city of Kingston, belonging respectively to the estate of Caleb M. Merritt, the estate of Angeline Reynolds and others, and for the improvements of the same, the sum of \$9,800, or so much thereof as may be necessary. But no part of said sum shall be expended until contracts for the purchase of said property are secured nor until the Attorney-General is satisfied that the title to be acquired by the State is good and sufficient for the purpose herein contemplated.

"For the services and expenses of counsel employed in the matter of the investigation of the New York State Reformatory at Elmira by the State Board of Charities, the sum of \$3,000, or so much thereof as may be approved by the Attorney-General, by the president of such board, and the chairman of the special committee of the board conducting such investigation to be sufficient compensation for the services and expenses of such counsel.

"For the board of Gettysburg monuments commissioners to pay deficiencies for transportation to and from Gettysburg, Pa., on New York day, July 1, 2 and 3, 1893, of the surviving New York veterans, who were participants in the battle of Gettysburg, and other expenses incident thereto, \$27,534."

Page 23, after line 24, insert the following:

"The balance remaining unexpended in the treasury of the sum of \$15,000, appropriated by chapter 725 of the Laws of 1893, for abating nuisances caused by insufficient drainage on the Chemung canal and the Chemung canal feeder, being the sum of \$11,500.82, is hereby reappropriated for abating nuisances caused by insufficient drainage on the Chemung canal and Chemung

feeder, which nuisances, as they exist, are injurious to public health; the protection of health and life in the locality requiring the removal of the same. Said sum to be expended by the Superintendent of Public Works upon plans and specifications to be prepared and approved by the State Engineer and Surveyor. Any individual or corporation claimed to be damnified by the action of the State in the abatement of any nuisance hereunder may at any time within one year file a claim therefor with the Board of Claims, and jurisdiction is granted said board to audit and determine any said claim, but no award shall be made unless a liability would exist against an individual or corporation under like circumstances, and from any award made any claimant or the State may appeal to the Court of Appeals."

Page 24, line 21, strike out the word "fifteen" and insert the word "twelve;" and after the word "necessary" in line 22, insert the words "to be expended under the order and direction of the Adjutant-General."

Page 2-, after line 14, insert the following:

"For the sixth judicial district law library at Binghamton for the purchase of law books and reports and necessary rebinding of books belonging to said library the sum of \$2,000 to be paid on bills therefor, certified to by the justices of the Supreme Court having said library in charge."

Same page, after line 19, insert the following:

"For the Court of Appeals library, situated in the city of Syracuse, Onondaga county, N. Y., for the purchase of books and other supplies for said library, the sum of \$2,000."

Same page, line 21, add the letter "s" to the word "commissioner," and after the word "commissioners," twice occurring, insert the words "of fisheries."

Same page, line 9, strike out the word "four" and insert the word "three."

Same page, after line 16, insert the following:

"For the Forest Commission, for deficiency in appropriation, for compensation of foresters, the sum of \$5,500.

"The sum of \$21,943.34, being the sum paid into the State treasury from proceeds of land sold and lands leased by the Forest Commission, pursuant to chapter 332 of the Laws of 1893, is hereby appropriated for the purchase of lands within the Adirondack Park, as provided by section 123, article 8 of said act.

"The appropriation of \$1,500, made by chapter 726, Laws of 1893, 'for enclosing with wire fence such number of additional acres as may be deemed necessary by the Forest Commission for the use of parks,' is hereby appropriated for the maintenance of the Catskill deer parks, as provided in chapter 562 of the Laws of 1887, including the expenses of procuring and purchasing live deer or other game."

Same page, commencing with line 17, strike out balance of the page.

Page 30, strike out lines 1 and 2.

Same page, after line 17, insert the following :

"For Charles M. Preston, Superintendent of Banks, in full for legal costs and disbursements due him in the cases of the People ex rel. Charles M. Fairchilds, \$210.99."

Page 31, lines 13 and 14, strike out the words "twelve thousand five hundred and forty-one" and insert the words "ten thousand."

Page 32, after line 2, insert the following :

"For the State Normal and Training School at Oneonta for supplies, text books, blanks, stationery, rentals and labor, \$3,500, to be expended under the direction of the local board of managers of the school."

Same page, strike out all of lines 3, 4 and 5.

Your committee further report that they have agreed to recommend that the Senate do recede from the following amendments to the bill as they were adopted in the Senate :

Page 7, line 5, after the word "dollars" strike out all down to and including the word "necessary" in line 8.

Page 10, strike out all of lines 1, 2, 3, 4 and 5.

Page 18, line 26, strike out the word "three" and insert the word "five."

Page 21, line 6, strike out the word "thirty" and insert the word "twenty-five."

Same page, commencing with line 12, strike out the balance of the page, and on page 22 strike out all down to and including line 15.

Page 37, after line 12, insert the following :

"To the trustees of the State Museum, for the pre-ervation and necessary expenses of the State's exhibits returned from the World's Fair, \$5,000."

Page 38, after line 2 insert the following :

"For clerk hire, stenographer, postage, stationery and other incidental expenses of a commissioner to be appointed by the Governor to examine and report to the next Legislature as to the necessity and propriety of a partial revision of the Code of Civil Procedure, with a view to its condensation and simplification and as to whether a rearrangement upon a more scientific basis would not render it more convenient and valuable, and, if so, in what respects, the sum of \$1,000, or so much thereof as may be necessary, to be paid by the Comptroller, on the certificate of such commissioner."

Page 26, line 23, strike out the word "eight" and insert the word "six."

Page 34, after line 17, insert the following :

"No manager, trustee or other officer of a State hospital or any other State charitable or other institution receiving moneys in whole or in part from the State treasury for maintenance or support, shall be interested either individually or as stockholders or

bondholders in any corporation directly or indirectly in any purchase or sale made by any of said officers for any of said institutions.

"A trustee or manager of a State hospital, or the agent or warden of a State prison, who shall audit or approve any voucher for expenses in excess of the estimate for the same, as revised and approved by the State Commission in Lunacy or the Superintendent of State prisons or the Comptroller, shall be personally liable to the people of the State for the same, and the same may be recovered by an action at law in the name of the people of the State of New York.

The joint committee do further report that they have agreed to recommend the adoption of the following amendments to the bill:

Page 21, after line 11, insert the following:

"For the board of electrical control in and for the city of New York, for the services and expenses of the commissioners thereof, for the fiscal year ending September 30, 1895, \$49,720, which amount, together with such reasonable compensation for services and expenses of clerks in the office of the comptroller as may be certified by him, not exceeding the sum of \$2,000, which is hereby appropriated for the expense of the levy and collection thereof, shall be refunded to the treasury of the State by the several companies operating electrical conductors in said city, which are, or shall be required to place and operate any of their conductors underground, pursuant to the provisions of chapter 499 of the Laws of 1885, and the acts amendatory thereof, which said companies shall furnish to the Comptroller the data and necessary information required to make assessments pursuant to sections 7 and 8 of said chapter 499, amended, and said commissioners shall furnish to the Comptroller a list of such companies. The employes of the said board of electrical control shall be subject to municipal civil service examination. The assessments of the amounts to be paid to the said board of electrical control shall be made according to law upon the several corporations and companies liable therefor by the Comptroller at such time or times, at his office in the city of Albany, as he shall designate, when they may be heard thereon, of which the Comptroller shall give such corporations or companies at least one week's prior notice to each a written or printed copy of such notice in the usual way, by mail, directed to them at their respective places of business, postage thereon prepaid."

"To reimburse Charles W. Pilgrim for disbursements incurred for his legal service and expense in defending under the direction of the Attorney-General, as superintendent of the Willard State Hospital, the case of H. B. La Rue against the Willard State Hospital and others the sum of \$911.62, the same to be paid under the direction of the Attorney-General.

"For payment of the services and expenses of commissioners appointed by the Governor to take evidence and report the same with their findings thereon to him, in proceedings for the removal of State officers, the sum of \$5,000, or so much thereof as may be necessary, the Governor being hereby authorized to appoint either one or three commissioners in any such proceeding.

"For changes in and the completion of the rooms of the Court of Appeals, to be done under the supervision of the capitol commissioner and to be paid on the certificate of the chief judge of said court, the sum of \$5,000."

Page 29, line 16, after the word "dollars" insert the words "and the Comptroller is hereby authorized to pay out of the appropriation made for the services and expenses of the State Geologist for the next fiscal year for completing the printing of 3,000 copies and for binding 1,000 copies, \$4,627, or so much thereof as may be necessary, provided that the bills for such printing shall be paid only if the receipts therefor are accompanied by a legal document satisfactory to the Comptroller, releasing both the State and the Regents of the University from all claims in connection with all contracts for printing the Paleontology which are now held by the parties to whom the payment for completing volume eight is made."

All of which is respectfully submitted.

J. MULLIN,

FRANK W. HIGGINS,

AMASA J. PARKER,

Senate Committee.

D. E. AINSWORTH,

ARTHUR C. BUTTS,

E. C. STEWART,

R. P. BUSH,

HARRISON FULLER,

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Plant	Stadtfeld
Baker	Finnigan	Kerr	Porter	Stein
Berry	Fish	Kern	Prescott	Stevens
Brownell	Foley	Kerrigan	Rider, J.J.	Stewart
Bush	Friday	Kneeland	Robbins	Stone
Butts	Fuller	La Fetra	Robertson	Sulzer
Cahill	Gardiner	Lawson	Robinson	Taylor
Callahan	Gerst	Lee	Robson	Terry, C.W.
Carroll	Gleason	Lounsbury	Roche	Terry, J.F.
Cassin	Gould	Marrin	Ryder, E.L.	Thornton

Chambers	Gray	Matthews	Scanlon	Tilton
Clark, F.E.	Hennessy	McDermott	Schillinger	Trainor
Clark, J. H.	Herrman	McKeon	Schoepflin	Tuttle
Cutler	Higbie	Melody	Schulz, H	Van Amber
Davidson	Hobbie	Messiter	Seibert	Vehslage
Dean	Horton	Mittnacht	Sherwood	Whittet
Denniston	Hotaling	Myers	Smith, M.F.	Wieman
Dinkelspiel	Houghton	O'Donnell	Smith, S.W.	Wilcox
Dowling	Hoysradt	O'Grady	Snyder	Wyckoff
Eldredge	Keck	Parkhurst		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

Mr. Lounsbury, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. J. F. Terry, Int. No. 1264, entitled "An act empowering the northside water commissioners of a fire district in a part of the town of Waterford, county of Saratoga, State of New York, to contract with electric light companies organized under the laws of this State, or with any person or persons, for lighting the streets and public highways in said district, and providing for the payment therefor by assessment, levy and collection thereof, upon the taxable property of such district," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Lounsbury, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Cahill, Int. No. 1418, entitled "An act to amend chapter 217 of the Laws of 1879, entitled 'An act in relation to oil wells,' as amended by chapter 64 of the Laws of 1882, so as to embrace gas wells," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Keenan, Int. No. 1436, entitled "An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the Firemen's Association of the State of New York,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Bush, Int. No. 1420, entitled "An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Schoepflin, Int. No. 1335, entitled "An act to provide for the incorporation of associations for lending money on personal property," reported in favor of the passage of the same with the following amendments:

Page 2, line 10, strike out the word "knowingly."

Page 3, line 4, strike out the words "as interest."

Same page, line 6, after the word "interest" insert the words "or discount."

Same page, line 7, after the words "per month" insert the words "for a period of sixty days or less, and not to exceed one per cent per month for periods over sixty days, and also a sum not exceeding two dollars for the first examination of the property to be pledged or mortgaged, and for drawing and filing the necessary papers."

Amend the title by adding the following words "and to forbid certain loans of money, property or credit."

PHILIP KECK,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 290, entitled "An act to amend the county law," reported in favor of the passage of the same with the following amendments:

Line 10, strike out the word "five" and insert the word "six."

Line 12, add the words "except in counties where the office of county clerk is a salaried office such county clerk's office shall be closed at five o'clock in the afternoon between the 31st day of March and the 1st day of October next following."

PHILIP KECK,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hobbie, from the committee on insurance, to which was referred the bill introduced by Mr. Chapman, Int. No. 1204,

entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town corporation insurance companies,' " reported in favor of the passage of the same with the following amendment:

Page 2, line 5, strike out the words "one year" and insert the words "three months."

WM. R. HOBBIE,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Burtis, Int. No. 1438, entitled "An act to release to George Hyne, John Kilgour and David Kilgour all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn, county of Kings and State of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Marrin, Int. No. 1378, entitled "An act for the relief of Wesley S. Yard," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Porter, Int. No. 1446, entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claim of Patrick Gawkins and the claim of the estate of Giles Hawley, deceased, against the State," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred the Senate bill introduced by Mr. Saxton, Rec. No. 642, entitled "An act conferring jurisdiction on the Board of Claims to hear and determine the claim of John Bray for injuries sustained by him at the hands of a convict at Auburn State prison, while on duty as a keeper in said prison," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Stone, from the committee on claims, to which was referred

the bill introduced by Mr. Horton, Int. No. 1337, entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims arising from the grant by the State to Archibald McIntyre, individually, and as executor, and his successors in interest and subsequent grantees and owners and their personal representatives," reported in favor of the passage of the same, with the following amendment :

Page 2, line 9, strike out the words "and directed."

S. H. STONE,
Chairman.

Which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ahearn, Rec. No. 306, entitled "An act to amend chapter 553 of the Laws of 1885, entitled 'An act to incorporate the Citizens' Loan Agency and Guarantee Company,' " reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. O'Connor, Rec. No. 224, entitled "An act to legalize certain municipal securities," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 335, entitled "An act to amend the legislative law," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. O'Grady, from the committee on public education, to which was referred the bill introduced by Mr. Baker, Int. No. 1448, entitled "An act to provide conditional compensation for teachers of common schools in any town of the State who have taught therein continuously twenty-five years or more," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Parkhurst, from the committee on railroads, to which was referred the Senate bill introduced by Mr. McMahon, Rec. No. 339, entitled "An act to amend section 4 of chapter 4 of the Laws of 1891, excepting certain parks and streets from route for an elevated railroad," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Parkhurst, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Collins, Rec. No. 217, entitled "An act further to extend the time within which the Troy and New England Railway Company shall begin the construction of its railroad and expend thereon ten per cent of its capital," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Parkhurst, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 324, entitled "An act to amend chapter 665 of the Laws of 1893, entitled 'An act to authorize the construction and maintenance of a bridge across the Albany basin,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Denniston, from the committee on excise, to which was referred the bill introduced by Mr. Parkhurst, Int. No. 844, entitled "An act to amend chapter 401 of the Laws of 1892, entitled 'An act to revise and consolidate the laws regulating the sale of intoxicating liquors,'" reported in favor of the passage of the same with the following amendment:

Page 3, line 9, after the word "counties" add the words "towns having a board of alms, in such case all excise money shall be paid to the treasurer of the board of alms."

W. H. DENNISTON,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Harrigan asked leave to introduce a resolution to discharge the committee on codes from the consideration of Assembly bill No. 278, Int. No. 274.

Mr. Hennessy raised the point of order that the House has gone

through reports of committees, and a motion to discharge any committee is not in order.

Mr. Speaker.—The Chair holds that the extension of time of committees to make reports does not carry with it the right to discharge committees. The point of order is well taken if the gentleman insists, that they can only report bills from committee, and not discharge them from consideration.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Lounsbury, Int. No. 1416, entitled "An act to repeal an act entitled 'An act to fix the compensation of assessors in the several towns of Ulster county,' passed May 12, 1865," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. J. H. Clark, Int. No. 1383, entitled "An act to authorize John Rigeman, Jr., of the town of Lockport, to sell and convey the cemetery grounds situated on the farm owned by him in said town," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the bill introduced by Mr. Harrigan, Int. No. 1414, entitled "An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law and to incur an indebtedness for the grading, macadamizing and improving of highways in said town," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. McNamee, Int. No. 1444, entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster, and the acts amendatory thereof,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1375, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Baker, Int. No. 1385, entitled "An act to locate the office of the clerk of the town of Ausable," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Cassin, Int. No. 1388, entitled "An act to amend chapter 305 of the Laws of 1891, entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Bath-on-the-Hudson, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Cassin, Int. No. 1456, entitled "An act in relation to the destruction by fire or heat of all animal and vegetable refuse and garbage in towns and villages having over 10,000 inhabitants," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was recommitted the bill introduced by Mr. Keek, Int. No. 1469, entitled "An act to authorize the village of Johnstown, in the county of Fulton, to issue and sell bonds of the said village and use the proceeds thereof to pay its existing indebtedness," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 311, entitled "An act to authorize the village of

Hamilton and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burying ground in said village," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Kern, said bill was substituted for Assembly bill No. 1580, same title and subject, now on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Kern, Int. No. 1363, entitled "An act to revise, amend and consolidate the several acts relating to the village of Oneida, and to repeal certain acts and parts of acts," reported in favor of the passage of the same, with the following amendments :

Page 5, line 7, change the word "three" to the word "two."

Page 66, strike out the brackets in lines 7 and 8.

JOHN M. CHAMBERS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Gerst, Int. No. 1440, entitled "An act to transfer upon the trustees of the village of Williamsville, in Erie county, as to liquor licenses granted within said village, the powers of the board of excise of the town of Amherst," reported in favor of the passage of the following substitute therefor :

AN ACT in relation to excise moneys collected in the village of Williamsville."

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. Hereafter the board of excise commissioners of the town of Amherst, in the county of Erie, shall, within twenty days after the receipt thereof, pay to the village treasurer of the village of Williamsville all moneys collected by them for licenses within such village, after deducting therefrom the proportion of the lawful expenses of such commissioners properly chargeable thereto. Such moneys shall become part of a general fund of such village, and may be

appropriated and used in the same manner as other moneys collected therein for ordinary purposes.

§ 2. This act shall take effect immediately.

JOHN M. CHAMBERS,

Chairman.

Which report was agreed to, and said substitute ordered printed and placed on the order of third reading.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 316, entitled "An act to incorporate the Home Church Extension Board, of Onondaga Conference Methodist Protestant Church," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 313, entitled "An act to enable 'The Board of Church Extension of the Methodist Episcopal Church' to take hold and convey property in the State of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. O'Grady in the chair.

The Senate bill (No. 652) entitled "An act to provide for the construction of a viaduct over the railroad track, where the same intersects the line of Chenango street, in the city of Binghamton" (Rec. No. 296), was read the second time.

On motion of Mr. Brownell, said bill was placed on the order of third reading.

The Senate bill (No. 741) entitled "An act to amend chapter 707 of the Laws of 1893, entitled 'An act to incorporate the Model Town Company, to define its rights, powers and privileges, and for other purposes'" (Rec. No. 258), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading.

The Senate bill (No. 615) entitled "An act to legalize the conveyance of certain lands to the railroad commissioners of the town of New Lebanon, in the county of Columbia, and to

authorize said commissioners to hold and convey the same" (Rec. No. 226), was read the second time.

On motion of Mr. Chambers, said bill was placed on the order of third reading.

The Senate bill (No. 379) entitled "An act for the relief of the Goshen Sanitarium Company of Goshen, N. Y., and to legalize its incorporation" (Rec. No. 229), was read the second time.

On motion of Mr. Thornton, said bill was placed on the order of third reading.

The Senate bill (No. 424) entitled "An act in relation to Centre avenue and Main street, in the village of New Rochelle, county of Westchester and State of New York" (Rec. No. 108), was read the second time.

On motion of Mr. E. L. Ryder, said bill was placed on the order of third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1501) entitled "An act to release from assessments heretofore levied on certain real estate of Saint John's Methodist Episcopal Church in the city of New York," (Int. No. 1300), reported the same without recommendation.

Ordered, That said bill be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1530) entitled "An act to amend chapter 496 of the Laws of 1870, entitled 'An act to organize and establish a police for the village of West Troy,' as amended by chapter 34 of the Laws of 1892" (Int. No. 953), reported the same with the recommendation that it be amended as follows:

Page 2, line 1, strike out the word "said" and insert the word "the."

Same page, line 2, after the word "village" insert the words "of West Troy."

Page 3, lines 15 and 16, strike out all of line 15 after the word "said," and all of line 16 down to and including the word "seventy" and insert the word "act."

Same page line 26, strike out the words "chapter 496" and insert the word "act."

Page 4, line 1, strike out the words "Laws of 1870."

Amend the title so as to read as follows:

"An act to amend chapter 496 of the Laws of 1870, entitled 'An act to organize and establish a police for the village of West Troy,' relating to appointment of commissioners of police."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1343) entitled "An act to authorize the sale of certain lands and premises situated in the city of New York, which were devised by James Ewing Cooley to his executors in trust" (Int. No. 1188), reported the same with the recommendation that it be amended as follows:

Page 2, line 12, insert a comma after the word "cause."

Page 4, line 2, change the word "perchase" to "purchases."

Same page, line 7, strike out the comma after the word "act."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1475) entitled "An act to amend section 31 of article 2 of chapter 6 of the general laws, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws'" (Int. No. 823), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the word "six" and insert the words "six hundred and eighty."

Same page, line 2, strike out the words "general law" and insert the words "Laws of 1892;" also add the letter "s" to the word "election."

Same page, line 5, after "section 31," insert the words "Meeting of inspectors for registry."

Page 2, line 1, strike off the letter "s" from the word "Fridays."

Same page, line 10, strike out the word "and" and insert the word "with."

Same page, line 11, add letter "s" to the word "mission."

Amend the title so as to read as follows:

"An act to amend the election law, relating to meeting of inspectors for registry."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1543) entitled "An act to open a certain part of State street in the city of Brooklyn, as laid down on the

commissioners' map of said city, from the westerly side of Furman street to the river, and in relation to the improvements of said street" (Int. No. 1213), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "Brooklyn" insert a comma.

Page 2, line 1, change the word "relating" to the word "relation."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1476) entitled "An act to amend the general corporation law" (Int. No. 939), reported the same with the recommendation that it be amended as follows:

Page 2, line 8, strike out the word "moneyed" and insert the word "monied."

Page 3, line 18, after the word "corporation" insert a comma.

Page 4, line 4, strike out the word "which."

Same page, line 20, add the letter "s" to the word "corporation."

Page 6, line 6, strike out the letter "s" from the word "regulations."

Same page, line 9, after the word "stock" strike out the comma.

Same page, line 24, after the word "which" insert the word "it."

Page 7, line 2, after the word "procedure" insert a comma.

Same page, line 9, strike out the letter "s" from the word "persons."

Same page, line 16, strike out the word "corporaion" and insert the word "corporation."

Page 9, line 21, strike out the word "corporate" and insert the word "corporation."

Page 10, line 12, after "§ 40" insert the words "alteration, suspension and repeal of charter."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1462) entitled "An act to establish a pension fund for the paid fire department of the city of Rochester, New York" (Int. No. 1282), reported the same with the recommendation that it be amended as follows:

Page 2, line 1, strike out the word "they" and insert the words "the said board of trustees."

Page 3, line 24, strike out the word "conducting" and insert the word "conduct."

Page 4, line 20, strike out the word "whilst" and insert the word "while."

Same page, line 25, change the word "the" to "a."

Page 5, line 12, strike out the word "mentally."

Same page, line 20, strike out the word "whilst" and insert the word "while."

Page 6, line 18, strike out the word "whilst" and insert the word "while."

Page 7, line 13, strike out the words "New York."

Same page, line 20, strike out the words "New York."

Same page, line 23, strike out the words "New York."

Page 9, line 2, strike out the words "New York."

Same page, line 11, strike out the words "New York."

Amend the title by striking out the words "New York."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1477) entitled "An act to amend the county law" (Int. No. 966), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the county law" and insert the words "chapter 686 of the Laws of 1892, entitled 'An act in relation to counties,' constituting chapter 18 of the general laws."

Amend the title so as to read as follows:

"An act to amend the county law, relating to the compensation of supervisors in Richmond county."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1539) entitled "An act providing for the submission of the consolidation of Mount Vernon with certain territory under a single municipal administration to a vote of the people" (Int. No. 837), reported the same with the recommendation that it be amended as follows:

Page 2, line 13, change the word "seperate" to "separate."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1382) entitled "An act to amend section 475 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the construction of buildings" (Int. No. 1224), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "two" insert the words "entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'"

Same page, line 7, after the word "thickness" insert the words "for walls, and not less than sixteen inches in thickness."

Page 2, line 2, after the word "twelve" insert the word "inches."

Same page, line 5, strike out the word "the" and insert the word "them."

Same page, line 20, strike out the comma after the word "stone."

Page 3, line 1, after the word "thereof" insert the words "the additional ten feet or part thereof."

Amend the title by striking out the words "section 475 of" in line 1; also in line 5 strike out the word "interets" and insert the word "interests."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1544) entitled "An act to amend section 699 of the Penal Code, in relation to criminal charges against children" (Int. No. 620), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after "§ 699" insert the words "Persons between the age of sixteen and twenty-one years;" change the word "When" to the word "Where."

Same page, line 7, after the word "penitentiary" strike out the comma.

Page 2, line 7, strike off the letter "s" from the word "misdemeanors."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation.

"An act authorizing the rebuilding of a bridge over Newtown creek at Maspeth avenue, by the counties of Kings and Queens, and providing the means therefor." (No. 1539, Int. No. 691.)

"An act making an appropriation for building a vertical wall on the berme side of the Erie canal in the city of Utica, between Gilbert street, in the city of Utica, and the Turner street bridge in said city of Utica." (Int. No. 796.)

"An act to revise, amend and consolidate the several acts relating to public instruction." (No. 1679, Int. No. 1451.)

Ordered, That said bills be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1478), entitled "An act to amend chapter 464 of the Laws of 1888, entitled 'An act to amend chapter 312 of the Laws of 1884, entitled An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York'" (Int. No. 912), reported the same with the recommendation that it be amended as follows:

Page 1, lines 1, 2 and 3, strike out the words "four hundred and sixty-four of the Laws of eighteen hundred and eighty-eight, entitled 'An act to amend chapter.'"

Same page, line 6, after the words "New York" insert the words "as amended by chapter 464 of the Laws of 1887."

Page 2, line 4, change the word "law" to "laws."

Same page, line 8, change the word "the" to "they."

Same page, line 13, add the letter "r" to the word "employe."

Same page, line 22, insert a semicolon after the word "mandamus."

Amend the title by striking out the words "chapter four hundred and sixty-four of the Laws of eighteen hundred and eighty-eight, entitled 'An act to amend chapter,'" also, after the last words "New York" insert the words "relating to removals."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1535) entitled "An act to amend an act

entitled 'An act to establish a Code of Criminal Procedure,' passed June 1, 1881, and the acts amendatory thereof," reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "part five" and insert the words "the code of criminal procedure."

Same page, lines 2, 3 and 4, strike out all up to and including the word "thereof" in line 4.

Same page, line 6, after "§ 749" insert the words "Reviews on appeal from minor courts."

Page 2, line 1, strike out the letter "s" from the word "ings."

Same page, line 8, after the word "state" insert a comma.

Amend the title so as to read as follows:

"An act to amend the Code of Criminal Procedure, relating to reviews on appeal from minor courts."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1545) entitled "An act to amend section 537 of chapter 492 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relating to the powers and duties of the health department of the city of New York'" (Int. 1225), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the word "ninety-two" and insert the word "ten."

Page 2, line 21, after the word "chapter" insert the figures "275."

Amend the title by striking out the words "section 537 of;" also, in line 2, strike out the word "ninety-two" and insert the word "ten."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1698) entitled "An act to amend sections 3, 8, 11, 12 and 13 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting

public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city' " (Int. No. 1104), reported the same with the recommendation that it be amended as follows:

Page 2, line 3, after the word "six" strike out the semicolon.

Same page, line 2?, change the word "commissioners" to "commissioner."

Page 4, line 2, after the word "appointment" insert the words "shall have previously made an appropriation."

Page 8, line 3, strike out the word "the."

Same page, line 5, strike out the word "or" and insert the word "and."

Page 14, line 3, change the word "thow" to "throw."

Same page, line 19, change the word "vehicles" to "vehicle."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1288) entitled "An act to authorize the commissioners of the land office to grant all the interest of this State in certain lands formerly under the waters of the Hudson river, adjoining the village of Catskill, in the county of Greene, but which have been filled in" (Int. No. 1123), reported the same with the recommendation that it be amended as follows:

Page 2, line 4, strike out the quotation marks inclosing the words "the village of Catskill."

Same page, lines 6 and 7, strike out the quotation marks inclosing the words "the village of Catskill."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1536) entitled "An act to amend chapter 637 of the Laws of 1892, entitled 'An act to provide for the establishment of a reformatory for women, and making an appropriation therefor'" (Int. No. 934), reported the same with the recommendation that it be amended as follows:

Page 2, line 8, strike out the words "by said" and insert the words "by the treasurer on the warrant of."

Same page, line 9, after the word "managers" insert the word "in."

Same page, line 13, add the letter "s" to the word "purpose."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 147) entitled "An act to amend the business corporation law" (Int. No. 941), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the figure "1" insert the words "section 1."

Page 3, line 4, after the word "stockholders" strike out the comma.

Page 4, line 2, after the word "time" insert a comma.

Same page, line 4, after the word "them" insert a comma.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1253) entitled "An act to amend chapter 297 of the Laws of 1885, entitled 'An act for the preservation of the public health and the registration of vital statistics in the city of Albany'" (Int. No. 1117), reported the same with the recommendation that it be amended as follows:

Page 2, line 6, after the word "years" insert a comma.

Same page, line 10, after the word "compensation" insert a semicolon.

Same page, line 12, strike out the word "and."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1362) entitled "An act creating town boards for the purpose of adjusting assessments on real estate arising from unjust assessments" (Int. No. 1196), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the word "That" and capitalize the next word "in;" also strike out the words "all the" and insert the word "every," and strike off the letter "s" from the word "towns."

Same page, line 2, strike out the words "are not cities or a" and insert the words "is no;" also insert a comma after the word "inhabitants;" and also, after the word "inhabitants" insert the words "according to the last preceding federal or State census or enumeration."

Same page, line 3, strike out the letter "s" from the word "supervisors;" also after the word "peace" insert the words "of such town."

Page 1, line 5, strike out the word "that;" also change the word "whenevr" to "whenever."

Same page, line 6, strike out the word "that" and insert the word "such."

Same page, line 8, after the word "upon" insert the words "his or," and after the word "their" strike out the words "or his."

Same page, line 9, strike out the word "assured" and insert the word "shown;" also, after the word "the" strike out the word "assessors" and insert the words "assessment-roll."

Page 2, line 7, strike out the words "coming in opposition" and insert the words "inconsistent with or repugnant."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1598) entitled "An act in relation to labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise" (Int. No. 368), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out semicolon after the word "labor."

Same page, line 5, strike out the word "lie;" also insert a comma after the word "sale."

Page 2, line 14, add the letter "s" to the word "ware."

Page 3, line 6, strike out comma after the word "fine."

Same page, line 22, change the word "imprisoned" to "imprisonment."

Same page, line 23, insert a semicolon after the word "year;" also, insert a comma after the word "days."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1471) entitled "An act to amend chapter 523 of the Laws of 1890, chapter 315 of the Laws of 1891, and chapter 418 of the Laws of 1892, being acts in relation to the sheriff of the city and county of New York, and amendments thereto" (Int. No. 360), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the words "and the amend" and insert the words "as amended by."

Same page, line 3, strike out the words "ments thereto by section 1 and 2 of."

Same page, and strike out all of line 5 down to and including the word "ninety-two" in line 6.

Page 3, line 5, after the word "acts" insert the word "whose;" change the word "to" to the word "shall."

Amend the title so as to read as follows:

"An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York, relating to appointment of deputies and compensation.'"

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1203) entitled "An act laying out an additional public park in the Twelfth ward of the city of New York and authorizing the taking of land for the same" (Int. No. 991), reported the same with the recommendation that it be amended as follows:

Page 2, line 3, after the word "so" insert the word "much."

Page 3, line 12, change the word "commissioner" to "commissioners."

Page 4, line 24, after the word "parks" insert a comma.

Page 5, line 7, change the word "otehr" to "other."

Page 6, line 9, strike out the words "and be it further enacted that;" also, begin the word "whatever" with a capital "W."

Same page, line 20, changes semicolon to a comma after the word "report."

Page 7, line 1, after the word "district" insert the words "or as said court."

Page 8, line 7, after the word "service" insert a comma.
Same page, line 8, after the word "things" insert a comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1414) entitled "An act to provide for the annexation to the city of Brooklyn of the town of Flatbush, in Kings county" (Int. No. 535), reported the same with the recommendation that it be amended as follows:

Page 2, line 11, after the word "town" strike out the comma.

Page 3, line 8, after the word "such" insert the words "or any additions that may be made thereto."

Same page, line 9, strike out the word "privileged."

Page 8, line 7, strike out the letter "s" from the word "jurisdictions."

Page 9, line 13, strike out the letter "s" from the word "departments."

Same page, line 14, after the word "graded" insert the words "the captain in command of said Flatbush police force to be a detective sergeant of police force of said city."

Same page, line 18, strike out the word "of."

Page 14, line 2, after the word "thereto" insert a comma.

Same page, line 17, after "§ 8" strike out the word "on" and insert the word "Before."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1533) entitled "An act to amend the railroad law" (Int. No. 1084), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the railroad law" and insert the words "chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws.'"

Page 3, line 8, insert a comma after the word "meetings."

Amend the title so as to read as follows:

"An act to amend the railroad law, relating to construction of road in street where other road is built."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1446), entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport'" (Int. No. 1268), reported the same with the recommendation that it be amended as follows :

Page 1, line 3, after the word "six" insert the words "entitled 'An act to revise the charter of the city of Lockport.'"

Page 4, line 4, change the word "macademizing" to "macadamizing."

Page 6, line 21, after the word "amended" insert the words "by chapter 571 of the Laws of 1887."

Page 7, line 4, after the word "amended" insert the words "by chapter 78 of the Laws of 1892."

Page 9, line 15, after the word "amended" insert the words "by chapter 201 of the Laws of 1888."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1529), entitled "An act to amend section 1 of chapter 275 of the Laws of 1892, entitled 'An act to create a department of buildings in the city of New York, and to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in so far as the same relates to the fire and building departments of said city, and by adding a new section thereto, creating a bureau to be known as the bureau of fire-alarm, telegraph and electrical appliances, in relation to the salary to be paid the superintendent of buildings" (Int. No. 1012), reported the same without recommendation.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1482) entitled "An act in relation to the village of Fredonia" (Int. No. 1048), reported the same with the recommendation that it be amended as follows :

Page 2, lines 8 and 9, strike out the quotation marks inclosing the words "at the time of passing this act."

Page 15, line 11, change the word "trutees" to the word "trustees."

Page 30, line 10, change the word "approved" to the word "approved."

Page 34, line 5, change the word "presvide" to the word "prescribed."

Page 38, line 11, strike out the word "that."

Page 66, line 11, strike out the comma after the word "vil-
lage;" also, strike out the comma after the word "thereof."

Same page, line 15, change the word "repeoled" to the word "repealed."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1481) entitled "An act to incorporate the Niagara, Lockport and Ontario Power Company" (Int. No. 1073), reported the same with the recommendation that it be amended as follows :

Page 2, line 19, strike out the word "trustees" and insert the word "directors."

Page 5, lines 6 and 7, strike out the words "in title 3 of chapter 18 of part 1 of the Revised Statutes," and insert the words "by the general corporation law."

Same page, line 7, strike out the word "are" and insert the word "is."

Page 8, lines 24 and 25, strike out the words "which are conferred by chapter 423 of the Laws of 1885, upon the corporation therein specified," and insert the words "pursuant to the condemnation law."

Page 9, line 18, after the word "water" insert a comma.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Keenan offered for the consideration of the House a resolution, in the words following :

Resolved, That Senate bill No. 938, introduced by Mr. Collins, entitled "An act to amend chapter 576 of the Laws of 1893, entitled 'An act relative to the water works of the city of Troy, and to provide for an increased supply of water in said city'" (Rec. No. 338), just reported favorably, be substituted for Assembly

bill No. 1220, Int. No. 1614, introduced by Mr. Keenan, now on the order of second reading, the bills being identical.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate bill (No. 736) entitled "An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled An act to consolidate and amend the several acts relating to the said village of Lancaster, and to enlarge the powers of the corporation of said village'" (Rec. No. 284), was read the second time.

On motion of Mr. Braun, said bill was placed on the order of third reading.

The Senate bill (No. 621) entitled "An act to amend chapter 640 of the Laws of 1892, entitled 'An act relating to the repair and improvements of streets, roads, docks and wharves in the villages situated in towns in which more than one-fourth in value of the taxable real estate has been condemned or appropriated for the purpose of a public park or parks, and providing for the raising of money for such repair and improvements'" (Rec. No. 162), was read the second time.

On motion of Mr. E. L. Ryder, said bill was placed on the order of third reading.

The Senate bill (No. 607) entitled "An act to enable the village of Oneida to refund its bonded indebtedness and to issue bonds for that purpose" (Int. No. 221), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 715) entitled "An act to abolish days of grace" (Int. No. 207), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading.

The Senate bill (No. 824) entitled "An act to change the name of 'The National Savings and Loan Association' of Rochester, New York" (Int. No. 244), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The bill (No. 1590) entitled "An act to amend section 22 of chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' as amended

by chapter 70 of the Laws of 1881" (Int. No. 1340), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1592) entitled "An act to incorporate the 'Children's Aid Society of Rochester'" (Int. No. 1387), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1309) entitled "An act to provide for the protection of the Cayuga and Seneca canal by repairing the berme bank and breakwater at the foot of Seneca lake, in the counties of Seneca and Ontario, between the outlet and the canal bridge at Geneva, and making an appropriation therefor" (Int. No. 1152), was read the second time.

On motion of Mr. Parkhurst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1588) entitled "An act reappropriating an unexpended balance for the State Industrial School at Rochester" (Int. No. 1372), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 878) entitled "An act making an appropriation for repairing the culvert under the Oswego canal at Mud creek, in the First ward of Syracuse, and for deepening the bed and walling the banks of the creek from the culvert to Onondaga lake" (Int. No. 807), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1369) entitled "An act to provide for the completion of the armory for the Twenty-third Regiment in the city of Brooklyn" (Int. No. 1205), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1553) entitled "An act to provide for making repairs and improvements to the Glens Falls feeder to the Champlain canal and making an appropriation therefor" (Int. No. 1355), having been announced for a second reading,

On request of Mr. Eldredge, said bill was laid aside.

The bill (No. 1546) entitled "An act authorizing the improve-

ment and repairs of the Rocky Rift feeder and dam in the Mohawk river, and making appropriation therefor" (Int. No. 1359), was read the second time.

On motion of Mr. Prescott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1523) entitled "An act making an appropriation for the payment of expenses of a convention to revise and amend the Constitution of the State" (Int. No. 1824), having been announced for a second reading,

Mr. Sulzer moved to amend the same as follows :

Section 1, line 1, strike out the word "three" and insert the word "four."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 42 }
{ NOES 69 }

Those who voted in the affirmative, were

Brennan	Coughlin	Keleher	McKeon	Roche
Bush	Douglas	Kerr	McNamee	Southworth
Butts	Dowling	Kerrigan	Melody	Stadtfeld
Cahill	Foley	La Fetra	Mittnacht	Stein
Cain	Gleason	Lasch	Myers	Sulzer
Callahan	Hennessy	Loonan	O'Donnell	Tobin
Carroll	Herrman	Marrin	Plant	Trainor
Chapman	Hoysradt	McDermott	Reilly	Vehslage
Corrigan	Keenan			

Those who voted in the negative, were

Ainsworth	Friday	Kelsey	Robertson	Taylor
Babcock	Fuller	Kern	Robson	Terry, C.W.
Baker	Gardiner	Kneeland	Scanlon	Terry, J.F.
Burtis	Gerst	Lawson	Schoepflin	Thornton
Chambers	Glenn	Lee	Schulz, F.F.	Tilton
Clark, F.E.	Gould	Lounsbury	Schulz, H	Tuttle
Clark, J. H.	Gray	Matthews	Seibert	Vacheron
Conklin	Higbie	Messiter	Sherwood	Van Amber
Cutler	Hobbie	O'Grady	Smith, M.F.	Wells
Dean	Hoefer	Parkhurst	Smith, S.W.	Whittet
Denniston	Horton	Porter	Snyder	Wieman
Eldredge	Hotaling	Prescott	Stevens	Wilcox
Fairbrother	Houghton	Rider, J.J.	Stewart	Wyckoff
Fish	Keck	Robbins	Stone	

Said bill was then read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1153) entitled "An act to amend section 405 of the Penal Code, relating to the sale and use of opium, morphine, chloral, cocaine and medicines and preparations containing such drugs, by pharmacists, apothecaries, druggists, physicians, surgeons, dentists or other persons" (Int. No. 1019), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1205) entitled "An act to secure a more equitable and complete assessment of all taxable property of the State" (Int. No. 387), having been announced for a second reading,

Mr. Kerr moved to amend said bill as follows:

Page 3, section 6, line 3, strike out all after the word "corporations" down to the words "it shall be adjudged" in line 10.

Page 2, section 5, line 2, after the word "year" add the words "after 1894."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Tuttle moved to strike out the first section.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{	AYES	46	}
{	NOES	55	}

Those who voted in the affirmative, were

Babcock	Fuller	Kelsey	Robertson	Terry, J.F.
Baker	Gerst	Kern	Robson	Thornton
Brownell	Glenn	Lawson	Schoepflin	Tilton
Chambers	Gould	Lounsbury	Schulz, H	Tuttle
Dean	Gray	Matthews	Smith, M.F.	Vacheron
Denniston	Hobbie	Messiter	Snyder	Van Amber
Eldredge	Horton	O'Grady	Stewart	Wells
Fairbrother	Hotaling	Prescott	Stone	Whittet
Fish	Keck	Robbins	Terry, C.W.	Wilcox
Friday				

Those who voted in the negative, were

Berry	Coughlin	Herrman	McDermott	Ryder, E.L.
Brennan	Cutler	Houghton	McKeon	Scanlon
Butts	Davidson	Hoysradt	McNamee	Smith, S.W.
Butts	Dinkelspiel	Keenan	Melody	Southworth
Cahill	Douglas	Keleher	Mittnacht	Stadtfeld
Cain	Dowling	Kerr	Myers	Stein

Callahan	Finnigan	Kerrigan	O'Donnell	Sulzer
Carroll	Foley	La Fetra	Plant	Taylor
Cassin	Gleason	Lasch	Reilly	Tobin
Chapman	Harrigan	Loonan	Robinson	Trainor
Corrigan	Hennessy	Marrin	Roche	Vehslage

When the name of Mr. Ainsworth was called, he asked to be and was excused from voting.

Said bill, as amended, was then read the second time.

On motion of Mr. Kerr, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Douglas moved that Senate bill No. 862, entitled "An act to amend chapter 665 of the Laws of 1893, entitled 'An act to authorize the construction and maintenance of a bridge across the Albany basin'" (Rec. No. 324), be made a special order on second and third readings to-morrow morning at 11 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Matthews, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Nixon, Int. No. 1207, entitled "An act in relation to the assessment of personal property," reported the same for the consideration of the House, which report was agreed to, and said bill placed on the order of second reading.

Mr. Matthews, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 263, entitled "An act to repeal chapter 391 of the Laws of 1886," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

The bill (No. 1167) entitled "An act for the relief of Sophia Vandervoort, widow of Charles Vandervoort, deceased, her successors or assigns" (Int. No. 1034), was read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1246) entitled "An act to amend chapter 543 of the Laws of 1888, entitled 'An act for the protection of dealers in monuments, grave-stones, inclosures or other structures in cemeteries,' approved by the Governor June 9, 1888, passed, three-fifths being present" (Int. No. 1108), was read the second time.

On motion of Mr. Gray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1504) entitled "An act to amend chapter 51 of the Laws of 1870, entitled 'An act to amend the Act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848" (Int. No. 1808), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1555) entitled "An act relating to the office of highway commissioner" (Int. No. 1375), was read the second time.

On motion of Mr. Cutler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1584) entitled "An act to amend section 635 of the Code of Civil Procedure, relating to the granting of attachments in certain actions" (Int. No. 1346), was read the second time.

On motion of Mr. Gould, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1385) entitled "An act to amend section 1690 of the Code of Civil Procedure, relating to recovery of chattels" (Int. No. 1227), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1563) entitled "An act to amend section 323 of the Code of Criminal Procedure, relative to 'lotteries'" (Int. No. 1369), having been announced for a second reading,

Mr. F. F. Schulz moved to amend said bill as follows:

Line 6, after the word "instrument" insert the words "including card, dice and nickel and penny-in-the-slot or other machines which are."

Same line, strike out the words "being a."

Line 8, after the word "money" insert the words "cigarettes, segars, malt or spirituous liquors."

Same line, strike out the words "or other property."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading and referred to the committee on revision.

A message from the Senate was received and read, requesting

the return to the Senate of Senate bill No. 228, entitled "An act to amend section 198 of article 8 of the game law, relating to cultivation of shell fish" (Int. No. 138), for the purpose of amendment.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 402, entitled "An act relating to inspectors of election, poll clerks and bailot clerks in all of the towns and cities of the State, except the city of Brooklyn" (Rec. No. 86), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1579) entitled "An act conferring jurisdiction upon the Board of Claims to ascertain the amount of the claim of Augustus Mackenzie against the State, and to make an award therefor" (Int. No. 1341), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1060) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claims of Milton B. Jarvis against the State of New York, and to make an award therefor" (Int. No. 949), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1580) entitled "An act to authorize the village of Hamilton and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burying ground in said city" (Rec. No. 311), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The bill (No. 1487) entitled "An act to amend section 52 of

chapter 410 of the Laws of 1882" (Int. No. 1286), was read the second time.

On motion of Mr. Gleason, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1344) entitled "An act to amend chapter 361 of the Laws of 1884, entitled 'An act to establish a State Board of Pharmacy, and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie'" (Int. No. 1189), was read the second time.

On motion of Mr. Chapman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1562) entitled "An act to amend section 12 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Int. No. 1367), was read the second time.

On motion of Mr. Douglas, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1443) entitled "An act to provide for a hearing of the claims of William Lockman and Carey Devery, for work and services performed for the State under the direction of the Quarantine officials" (Int. No. 1265), was read the second time.

On motion of Mr. Corrigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1057) entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claims against the State of New York, of James Brennan and other employes of the State, upon public works, for unpaid balances due for services rendered, under chapter 380, Laws of 1889, from June 6, 1889, to June 29, 1890" (Int. No. 946), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 843) entitled "An act to amend the Penal Code as amended by chapter 693 of the Laws of 1892, relative to elections" (Rec. No. 274), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

The Senate bill (not printed) entitled "An act to amend section 4 of chapter 565 of the Laws of 1875, entitled 'An act to incorpo-

rate the New York Cheap Transportation Association' ” (Rec. No. 197), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading.

The Senate bill (No. 451) entitled “An act to amend chapter 409 of the Laws of 1886, entitled ‘An act to regulate the employment of women and children in manufacturing establishments, and to provide for inspectors to enforce the same’ ” (Rec. No. 273), having been announced for a second reading,

On request of Mr. McNamee, said bill was laid aside.

The Senate bill (No. 477) entitled “An act for the release of any interest of the State in certain lands in the city of Buffalo, to Henry Koons ” (Rec. No. 177), was read the second time.

On motion of Mr. Braun, said bill was placed on the order of third reading.

The Senate bill (No. 110) entitled “An act to provide for the disposition of lands of lock No. 60 on the abandoned Chenango canal ” (Rec. No. 146), having been announced for a second reading,

On request of Mr. Porter, said bill was laid aside.

The Senate bill (No. 790), entitled “An act to authorize the board of education of Union Free School District No. 1, of the town of Caldwell, Warren county, to issue bonds for the purpose of purchasing lands for a school site and to erect a new school house thereon, and to authorize the said board of education to sell the old school site and buildings and to legalize the proceedings of a meeting of said district held September 26, 1893 ” (Int. No. 225), having been announced for a second reading,

On request of Mr. Eldredge, said bill was laid aside.

The Senate bill (No. 855) entitled “An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts ” (Rec. No. 270), having been announced for a second reading,

On request of Mr. Wieman, said bill was laid aside.

The Senate bill (No. 789) entitled “An act to amend section 4 of title 1 of chapter 13 of part 1 of the Revised Statutes, relating to exemptions from taxation ” (Rec. No. 223), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

The Senate bill (No. 728) entitled "An act to provide for the construction of a hoist or lift bridge over the Erie canal at Adam street, in the city of Lockport, and making an appropriation therefor" (Rec. No. 288), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading.

The Senate bill (No. 434) entitled "An act to amend an act entitled 'An act to incorporate the Burnham Industrial Farm,' passed May 12, 1886" (Rec. No. 159), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

The Senate bill (No. 333) entitled "An act to establish a State Board of Undertakers, and to regulate the practice of undertaking" (Rec. No. 176), was read the second time.

On motion of Mr. Porter, said bill was placed on the order of third reading.

Mr. M. F. Smith asked unanimous consent that the bill (No. 1604) entitled "An act to amend chapter 40 of the Laws of 1888, as amended by chapter 193 of the Laws of 1893, entitled 'An act to incorporate the city of Hornellsville'" (Int. No. 501), do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second time.

On motion of Mr. M. F. Smith the same was amended as follows:

Page 7, line 17, strike out all after the word "bonds," and all of lines 18, 19, 20, 21, 22, 23, 24 and 25.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 99 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Kelsey	Porter	Stadtfeld
Babcock	Eldredge	Kerr	Prescott	Stein
Baker	Fairbrother	Kern	Rider, J.J.	Stevens
Berry	Fish	Kneeland	Robbins	Stewart

Brennan	Foley	La Petra	Robertson	Sulzer
Brownell	Friday	Lasch	Robinson	Taylor
Burtis	Fuller	Lawson	Robson	Terry, C.W.
Bush	Gardiner	Lee	Roche	Terry, J.F.
Cain	Gleason	Lounsbury	Ryder, E.L.	Thompson
Callahan	Gould	Loonan	Scanlon	Thornton
Cassin	Gray	Marrin	Schillinger	Tilton
Chambers	Herrman	McDermott	Schoepflin	Tobin
Clark, J. H.	Higbie	McKeon	Schulz, H	Tuttle
Conklir	Hobbie	McNamee	Seibert	Vacheron
Corrigan	Hoefler	Melody	Sheffield	Vehslage
Cutler	Hotaling	Mittnacht	Sherwood	Wells
Davidson	Houghton	Myers	Smith, M.F.	Wieman
Dean	Howe	O'Grady	Smith, S.W.	Wilcox
Denniston	Keck	Parkhurst	Snyder	Wray
Dinkelspiel	Keenan	Plant	Southworth	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1467) entitled "An act providing for the erection of a State armory in the village of Tonawanda, Erie county, the acquisition of a site therefor, and making an appropriation for building said armory" (Int. No. 211), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Donnell	Stein
Babcock	Denniston	Hoysradt	O'Grady	Stevens
Baker	Dinkelspiel	Keck	Parkhurst	Stewart
Braun	Dowling	Keleher	Porter	Stone
Brennan	Eldredge	Kelsey	Prescott	Sulzer
Brownell	Fairbrother	Kerr	Rider, J.J.	Taylor
Bush	Fish	Kern	Robbins	Terry, C.W.
Butts	Foley	Kneeland	Robinson	Terry, J.F.
Cain	Friday	Lasch	Robson	Thornton
Callahan	Gardiner	Lawson	Roche	Tobin
Carroll	Gerst	Lee	Scanlon	Trainor
Cassin	Glenn	Lounsbury	Schoepflin	Vacheron
Chapman	Gould	Marrin	Schulz, H	Van Amber
Clark, J. H.	Gray	Matthews	Seibert	Vehslage
Conklin	Hennessy	McDermott	Sherwood	Wells

Corrigan	Herrman	McKeon	Smith, M.F.	Wieman
Coughlin	Hobbie	Melody	Smith, S.W.	Wray
Cutler	Hoefler	Messiter	Snyder	Wyckoff
Davidson	Horton	Myers	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sulzer moved to take from the table the motion to reconsider the vote by which the bill (No. 556) entitled "An act to provide for the appointment of additional deputy factory inspectors" (Int. No. 522), was lost.

Pending the consideration of said motion,

Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Dean	Hotaling	Myers	Southworth
Babcock	Denniston	Houghton	O'Donnell	Stadtfeld
Baker	Dinkelspiel	Hoysradt	O'Grady	Stein
Berry	Dowling	Keck	Parkhurst	Stevens
Braun	Eldredge	Keenan	Plant	Stewart
Brennan	Fairbrother	Keleher	Porter	Stone
Brownell	Finnigan	Kelsey	Reilly	Sulzer
Burtis	Fish	Kerr	Rider, J.J.	Taylor
Bush	Friday	Kern	Robbins	Terry, C.W.
Butts	Fuller	Kerrigan	Robinson	Terry, J.F.
Cahill	Gardiner	La Fetra	Robson	Thornton
Cain	Gerst	Lasch	Roche	Tilton
Callahan	Gleason	Lawson	Ryder, E.L.	Tobin
Carroll	Glenn	Lee	Scanlon	Trainor
Cassin	Gould	Lounsbury	Schillinger	Tuttle
Chambers	Gray	Loonan	Schoepflin	Vacheron
Chapman	Harrigan	Marrin	Schulz, F.F.	Van Amber
Clark, F.E.	Hennessy	McDermott	Schulz, H	Vehslage
Clark, J. H.	Herrman	McKeon	Seibert	Wells
Conklin	Higbie	McNamee	Sherwood	Whittet
Corrigan	Hobbie	Melody	Smith, M.F.	Wieman
Coughlin	Hoefler	Messiter	Smith, S.W.	Wilcox
Cutler	Horton	Mitnacht	Snyder	Wyckoff
Davidson				

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Mr. Foley, who, upon giving satisfactory explanation for having been absent, was excused.

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The question pending being upon the motion of Mr. Sulzer to reconsider,

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES ²64 }
{ NOES 54 }

Those who voted in the affirmative, were

Berry	Cutler	Hotaling	Melody	Schulz, H
Brennan	Davidson	Hoysradt	Mittnacht	Seibert
Bush	Denniston	Keenan	Myers	Southworth
Butts	Dinkelspiel	Keleher	O'Donnell	Stadtfeld
Cahill	Douglas	Kerr	O'Grady	Stein
Cain	Dowling	Kerrigan	Parkhurst	Stone
Callahan	Finnigan	La Fetra	Plant	Sulzer
Carroll	Foley	Lasch	Reilly	Taylor
Cassin	Gleason	Loonan	Robinson	Tobin
Chapman	Harrigan	Marrin	Roche	Trainor
Clark, F.E.	Hennessy	McDermott	Ryder, E.L.	Vehslage
Corrigan	Herrman	McKeon	Scanlon	Wieman
Coughlin	Hoefler	McNamee	Schulz, F.F.	

Those who voted in the negative, were

Ainsworth	Fish	Keck	Rider, J.J.	Terry, J.F.
Babcock	Friday	Kelsey	Robbins	Thornton
Baker	Fuller	Kern	Robson	Tilton
Brownell	Gardiner	Kneeland	Schoepflin	Tuttle
Burtis	Gerst	Lawson	Sheffield	Vacheron
Chambers	Gould	Lee	Sherwood	Van Amber
Clark, J.H.	Gray	Lounsbury	Smith, M.F.	Wells
Conklin	Higbie	Matthews	Smith, S.W.	Whittet
Dean	Hobbie	Messiter	Snyder	Wilcox
Eldredge	Horton	Porter	Stevens	Wyckoff
Fairbrother	Houghton	Prescott	Stewart	

When the name of Mr. Schillinger was called, he asked to be excused from voting.

Mr. Trainor objected, and stated that he wanted him (Mr. Schillinger) on record.

Mr. Schillinger was not excused, but declined to vote.

Mr. Speaker directed the third reading of a bill, the next bill in order being Assembly bill No. 1069, Int. No. 995, introduced by Mr. Prescott.

The Clerk read the bill, and commenced calling the roll, when

Mr. Sulzer called for a detailed statement on his motion on the previous bill, stating that the Clerk had no right to announce the result until the detailed statement was granted.

Mr. Foley—A point of order—that the Clerk has no right to announce the result until a detailed statement is granted.

Mr. Sulzer—Before you call, I ask for a detailed statement.

Mr. Ainsworth called for the calendar of the day.

Mr. Speaker resumed the chair.

Mr. Ainsworth—There is a roll call pending.

Mr. Sulzer—I move to strike out the first section of this bill.

Mr. Speaker—The roll call is being had.

The bill (No. 1069) entitled "An act to release to Edward Morgan and James McConnon all the right, title and interest of the people of the State of New York in and to certain real estate in the village of Herkimer, Herkimer county, N. Y." (Int. No. 959), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, two-thirds of all the members elected to the Assembly not voting in favor thereof.

{ AYES 67 }
{ NOES 9 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Robson	Stone
Babcock	Fuller	Kneeland	Ryder, E.L.	Terry, C.W.
Baker	Gardiner	Lawson	Scanlon	Terry, J.F.
Brownell	Gerst	Lee	Schoepflin	Thornton
Burtis	Glenn	Lounsbury	Schulz, F.F.	Tilton
Bush	Gould	Matthews	Schulz, H	Tuttle
Chambers	Gray	Messiter	Seibert	Vacheron
Clark, J. H.	Hobbie	O'Grady	Sherwood	Van Amber
Conklin	Hoefer	Parkhurst	Smith, M.F.	Wells
Cutler	Horton	Porter	Smith, S.W.	Wieman
Dean	Hotaling	Prescott	Snyder	Wilcox
Eldredge	Houghton	Rider, J.J.	Stevens	Wyckoff
Fairbrother	Keck	Robbins	Stewart	Speaker
Fish	Kelsey			

Those who voted in the negative, were

Berry	Dinkelspiel	Foley	Hoysradt	Robinson
Butts	Dowling	Harrigan	Kerr	

Mr. Ainsworth moved that this House take a recess until 4 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, the House took a recess.

FOUR O'CLOCK P. M.

The House again met.

Mr. Speaker announced the calendar of the day.

The bill (No. 1160) entitled "An act amending the highway law, relating to the towns in the county of Oneida" (Int. No. 1026), having been announced for a third reading,

On motion of Mr. Hoefler, said bill was amended as follows :

Add the following, to be known as section 2:

"§ 2. Nothing in this act shall invalidate or affect any claim presented by any of the towns or cities of Oneida county before the passage of this act."

Change section 2 to section 3.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Kerrigan	Porter	Stein
Babcock	Gardiner	Kneeland	Prescott	Stevens
Brownell	Gleason	Lasch	Rider, J.J.	Stewart
Bush	Glenn	Lawson	Robinson	Sulzer
Carroll	Gould	Lee	Robson	Taylor
Cassin	Harrigan	Lounsbury	Ryder, E.L.	Terry, C.W.
Chambers	Hennessey	Loonan	Scanlon	Terry, J.F.
Chapman	Herrman	Marrin	Schoepflin	Tilton
Clark, F.E.	Higbie	Matthews	Schulz, F.F.	Tobin
Clark, J. H.	Hobbie	McDermott	Schulz, H	Trainor

Conklin	Hoefler	McKeon	Seibert	Tuttle
Cutler	Horton	McNamee	Sherwood	Vacheron
Dean	Hotaling	Melody	Smith, M.F.	Van Amber
Denniston	Hoysradt	Messiter	Smith, S.W.	Vehslage
Dinkelspiel	Keck	Myers	Snyder	Wieman
Eldredge	Kelsey	O'Donnell	Southworth	Wilcox
Fairbrother	Kerr	Parkhurst	Stadtfeld	Wyckoff
Finnigan	Kern	Plant		

In the negative,

Keleher

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Schillinger rose to a question of privilege.

Mr. Speaker ruled it out of order for the reason that nothing could be in order but the calendar of the day under the orders of the House.

Mr. Sulzer appealed from the decision of the chair.

Mr. Ainsworth moved to lay the appeal on the table, and on that motion moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

{ AYES 65 }
{ NOES 50 }

Those who voted in the affirmative, were

Ainsworth	Fish	Keck	Robertson	Stone
Babcock	Friday	Kelsey	Robson	Taylor
Baker	Fuller	Kern	Scanlon	Terry, C.W.
Braun	Gardiner	Kneeland	Schoepflin	Terry, J.F.
Brownell	Gerst	Lawson	Schulz, H	Tilton
Chambers	Glenn	Lee	Seibert	Tuttle
Clark, F.E.	Gould	Lounsbury	Sheffield	Vacheron
Conklin	Higbie	Matthews	Sherwood	Van Amber
Cutler	Hobbie	Messiter	Smith, M. F.	Wells
Dean	Hoefler	Porter	Smith, S.W.	Whittet
Denniston	Horton	Prescott	Snyder	Wieman
Eldredge	Hotaling	Rider, J.J.	Stevens	Wilcox
Fairbrother	Houghton	Robbins	Stewart	Wyckoff

Those who voted in the negative, were

Berry	Corrigan	Herrman	McDermott	Roche
Brennan	Coughlin	Hoysradt	McKeon	Ryder, E.L.

Bush	Davidson	Keenan	McNamee	Schillinger
Butts	Dinkelspiel	Keleher	Melody	Southworth
Cahill	Dowling	Kerr	Mittnacht	Stadtfeld
Cain	Finnigan	Kerrigan	Myers	Stein
Callahan	Foley	La Fetra	O'Donnell	Sulzer
Carroll	Gleason	Lasch	Plant	Tobin
Cassin	Harrigan	Loonan	Reilly	Trainor
Chapman	Hennessy	Marrin	Robinson	Vehslage

The bill (not printed) entitled "An act to amend chapter 220 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof'" (Int. No. 1452), having been announced for a third reading,

On motion of Mr. J. F. Terry, said bill was amended as follows :

Page 1, lines 16 and 17, strike out the words "with the concurrence of a majority of the trustees of said village."

Same page, lines 20 and 21, strike out the words "vote of a majority of the trustees of said village and the concurrence of the village."

Same page, line 22, after the word "president" insert the words "of said village."

Page 2, line 12, before the word "Section" insert "§ 2."

Add the following new section :

"§ 3. This act shall take effect immediately."

Said bill, as amended, was then read the second time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Rider, J.J.	Stevens
Babcock	Fuller	Kerrigan	Robbins	Stewart
Baker	Gardiner	Kneeland	Robertson	Stone
Braun	Glenn	Lawson	Robinson	Taylor
Brownell	Gould	Lee	Robson	Terry, C.W.
Burtis	Gray	Lounsbury	Ryder, E.L.	Terry, J.F.
Bush	Harrigan	Loonan	Scanlon	Thornton
Chambers	Hennessy	Matthews	Schoepflin	Tilton
Chapman	Herrman	McDermott	Schulz, F.F.	Tobin
Conklin	Higbie	McNamee	Schulz, H	Trainor
Cutler	Hobbie	Melody	Seibert	Vacheron
Dean	Hoefer	Messiter	Sherwood	Van Amber

Denniston	Horton	Myers	Smith, M.F.	Vehslage
Dowling	Hotaling	O'Donnel	Smith, S.W.	Whittet
Eldredge	Houghton	O'Grady	Snyder	Wieman
Fairbrother	Keck	Parkhurst	Southworth	Wilcox
Fish	Kelsey	Porter	Stein	Wyckoff
Foley	Kerr	Prescott		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 833) entitled "An act to provide for the construction and improvement of Corlear's Hook Park in the city of New York" (Rec. No. 280), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	O'Donnell	Stein
Babcock	Eldredge	Kelsey	O'Grady	Stevens
Baker	Fairbrother	Kerr	Plant	Stewart
Berry	Fish	Kern	Porter	Stone
Brennan	Foley	Kerrigan	Prescott	Sulzer
Brownell	Friday	Kneeland	Rider, J.J.	Taylor
Butts	Fuller	La Fetra	Robbins	Terry, C.W.
Carroll	Gardiner	Lasch	Robertson	Terry, J.F.
Chambers	Gerst	Lawson	Robson	Thompson
Clark, F.E.	Glenn	Lee	Roche	Tilton
Clark, J. H.	Gould	Lounsbury	Ryder, E.L.	Tobin
Conklin	Gray	Loonan	Scanlon	Trainor
Corrigan	Harrigan	Marrin	Schoepflin	Van Amber
Coughlin	Herrman	Matthews	Schulz, H	Vehslage
Cutler	Higbie	McDermott	Sheffield	Wells
Davidson	Hobbie	McNamee	Sherwood	Whittet
Dean	Hoefler	Melody	Smith, M.F.	Wieman
Denniston	Horton	Messiter	Smith, S.W.	Wilcox
Douglas	Houghton	Myers	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 887) entitled "An act to amend chapter 358 of the Laws of 1892, entitled 'An act to authorize the issue

of bonds of the city of Rochester to pay for an additional water supply ' ' (Int. 277), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kerr	Prescott	Stein
Babcock	Finnigan	Kern	Rider, J.J.	Stevens
Berry	Fish	Kneeland	Robbins	Stewart
Braun	Foley	La Fetra	Robertson	Stone
Brennan	Friday	Lasch	Robson	Sulzer
Brownell	Gardiner	Lawson	Roche	Taylor
Bush	Gerst	Lee	Ryder, E.L.	Terry, C W.
Butts	Gleason	Lounsbury	Scanlon	Terry, J.F.
Cahill	Glenn	Loonan	Schoepflin	Thornton
Carroll	Gould	Marrin	Schulz, F.F.	Tilton
Cassin	Gray	Matthews	Schulz, H	Tobin
Chambers	Harrigan	McKeon	Seibert	Trainor
Chapman	Hennessy	Melody	Sheffield	Vacheron
Clark, F.E.	Herrman	Messiter	Sherwood	Van Amber
Conklin	Hoefler	Myers	Smith, M.F.	Vehslage
Cutler	Horton	O'Grady	Smith, S.W.	Wells
Davidson	Hotaling	Parkhurst	Snyder	Whittet
Denniston	Houghton	Plant	Southworth	Wray
Dinkelspiel	Keck	Porter	Stadtfeld	Wyckoff
Eldredge	Kelsey			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 878) entitled "An act to amend chapter 193 of the Laws of 1888, entitled 'An act to authorize the selection, location and acquiring of certain grounds for public parks and parkways in and near the city of Rochester, and provide for the maintenance and embellishment thereof, and the several acts amendatory thereto ' ' (Rec. No. 276), was read the second time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Prescott	Stadtfeld
Babcock	Fish	Kerr	Reilly	Stein
Baker	Foley	Kern	Rider, J.J.	Stevens
Braun	Friday	Kneeland	Robbins	Stewart
Brennan	Fuller	Lasch	Robertson	Stone
Brownell	Gardiner	Lawson	Robinson	Taylor
Bush	Gerst	Lee	Robson	Terry, C.W.
Butts	Glenn	Lounsbury	Roche	Terry, J.F.
Carroll	Gould	Marrin	Scanlon	Thompson
Chambers	Gray	Matthews	Schillinger	Tilton
Clark, F.E.	Harrigan	McDermott	Schoepflin	Tobin
Clark, J. H.	Higbie	McKeon	Schulz, F.F.	Tuttle
Conklin	Hobbie	Melody	Schulz, H	Vacheron
Cutler	Hoefer	Messiter	Seibert	Van Amber
Davidson	Horton	Myers	Sheffield	Vehslage
Dean	Hotaling	O'Donnell	Smith, M.F.	Wells
Denniston	Hoysradt	O'Grady	Smith, S.W.	Whittet
Dinkelspiel	Houghton	Parkhurst	Snyder	Wieman
Eldredge	Keck	Porter	Southworth	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 559) entitled "An act to confer on the common council of the city of Utica, and the town board of the town of Deerfield, in the county of Oneida, the authority to purchase the Deerfield macadamized road" (Rec. No. 237), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kerrigan	Rider, J.J.	Stein
Babcock	Friday	Kneeland	Robbins	Stevens
Baker	Fuller	La Petra	Robertson	Stewart
Berry	Gardiner	Lasch	Robinson	Stone
Brennan	Gerst	Lawson	Robson	Taylor

Brownell	Glenn	Lee	Roche	Terry, C.W.
Bush	Gould	Lounsbury	Ryder, E.L.	Terry, J.F.
Butts	Gray	Loonan	Scanlon	Thompson
Carroll	Harrigan	Matthews	Schoepflin	Tilton
Chambers	Herrman	McDermott	Schulz, F.F.	Tobin
Chapman	Higbie	McNamee	Schulz, H	Trainor
Clark, F.E.	Hobbie	Melody	Seibert	Tuttle
Clark, J. H.	Horton	Messiter	Sheffield	Vacheron
Conklin	Hotaling	Mittnacht	Sherwood	Van Amber
Cutler	Houghton	Myers	Smith, M.F.	Wells
Davidson	Keck	O'Grady	Smith, S.W.	Whittet
Dean	Keleher	Parkhurst	Snyder	Wieman
Denniston	Kelsey	Plant	Southworth	Wilcox
Eldredge	Kerr	Porter	Stadtfeld	Wyekoff
Fairbrother	Kern	Prescott		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 811) entitled "An act to amend chapter 303 of the Laws of 1893, entitled 'An act to authorize and direct the city of Buffalo to remove and reinter the human remains buried in the old Indian burying ground located in the fifth ward of said city'" (Int. No. 232), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kerr	Prescott	Stevens
Babcock	Fuller	Kern	Rider, J.J.	Stewart
Baker	Gardiner	Kneeland	Robbins	Stone
Braun	Gerst	Lasch	Robertson	Taylor
Brownell	Glenn	Lawson	Robson	Terry, C.W.
Bush	Gould	Lee	Roche	Terry, J.F.
Butts	Gray	Lounsbury	Ryder, E.L.	Thompson
Carroll	Harrigan	Marrin	Scanlon	Tilton
Chambers	Herrman	Matthews	Schoepflin	Tobin
Clark, F.E.	Higbie	McDermott	Schulz, F.F.	Trainor
Clark, J. H.	Hobbie	McKeon	Schulz, H	Tuttle
Conklin	Hoefler	Melody	Seibert	Vacheron
Corrigan	Horton	Messiter	Sheffield	Van Amber
Gutler	Hotaling	Myers	Sherwood	Wells

Dean	Houghton	O'Donnell	Smith, M.F.	Whittet
Denniston	Keck	O'Grady	Smith, S.W.	Wieman
Eldredge	Keleher	Parkhurst	Stadtfield	Wilcox
Fairbrother	Kelsey	Porter	Stein	Wyckoff
Fish				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 246) entitled "An act vesting in Queens county the title of the people of the State of New York to certain land lying within said Queens county" (Rec. No. 56), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{	AYES	96	}
	NOES	00	

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Prescott	Stein
Babcock	Fish	Kerr	Rider, J.J.	Stevens
Baker	Friday	Kern	Robbins	Stewart
Braun	Fuller	K	Robertson	Stone
Brownell	Gardiner	Lasch	Robson	Sulzer
Bush	Gerst	Lawson	Roche	Taylor
Butts	Glenn	Lee	Ryder, E.L.	Perry, C.W.
Callahan	Gould	Lounsbury	Scanlon	Terry, J.F.
Carroll	Gray	Marrin	Schoepflin	Tilton
Chambers	Harrigan	Matthews	Schulz, F.F.	Tobin
Chapman	Hennessey	McDermott	Schulz, H	Trainor
Clark, F.E.	Higbie	McNamee	Seibert	Vacheron
Clark, J. H.	Hobbie	Melody	Sheffield	Van Amber
Conklin	Hoefer	Messiter	Sherwood	Vehslage
Coughlin	Horton	Myers	Smith, M.F.	Wells
Cutler	Hotaling	O'Donnell	Smith, S.W.	Whittet
Dean	Houghton	O'Grady	Snyder	Wieman
Denniston	Keck	Parkhurst	Southworth	Wilcox
Douglas	Keleher	Porter	Stadtfield	Wyckoff
Eldredge				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 198), entitled "An act to release to the

Church of the Holy Communion in the city of New York, all the estate, right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Greenburgh, county of Westchester, and State of New York" (Rec. No. 148), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Prescott	Stewart
Babcock	Eldredge	Kelsey	Rider, J.J.	Stone
Baker	Fairbrother	Kerr	Robbins	Sulzer
Braun	Fish	Kern	Robertson	Taylor
Brownell	Friday	Kerrigan	Robson	Terry, C.W.
Bush	Fuller	Kneeland	Scanlon	Terry, J.F.
Butts	Gardiner	Lawson	Schillinger	Thompson
Callahan	Gerst	Lee	Schoepflin	Tilton
Carroll	Glenn	Lounsbury	Schulz, F.F.	Tobin
Cassin	Gould	Loonan	Schulz, H	Trainor
Chambers	Gray	Marrin	Seibert	Vacheron
Clark, F.E.	Harrigan	Matthews	Sheffield	Van Amber
Clark, J. H.	Herrman	McDermott	Sherwood	Vehslage
Conklin	Higbie	McKeon	Smith, M.F.	Wells
Coughlin	Hobbie	Melody	Smith, S.W.	Whittet
Cutler	Hoefer	Messiter	Snyder	Wieman
Dean	Horton	Myers	Stadtfeld	Wilcox
Denniston	Hotaling	O'Grady	Stein	Wyckoff
Dinkelspiel	Houghton	Porter	Stevens	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 545) entitled "An act to amend the stock corporation law" (Rec. No. 202), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Snyder
Babcock	Dinkelspiel	Keck	Parkhurst	Stadtfeld
Baker	Dowling	Keleher	Porter	Stein
Braun	Eldredge	Kelsey	Prescott	Stevens
Brennan	Fairbrother	Kerr	Rider, J.J.	Stewart
Brownell	Fish	Kern	Robbins	Stone
Burtis	Friday	Kerrigan	Robertson	Taylor
Bush	Fuller	Kneeland	Robinson	Terry, C.W.
Butts	Gardiner	La Fetra	Robson	Terry, J.F.
Callahan	Gerst	Lawson	Ryder, E.L.	Thornton
Carroll	Glenn	Lee	Scanlon	Tobin
Chambers	Gould	Lounsbury	Schoepflin	Trainor
Clark, F.E.	Gray	Marrin	Schulz, F.F.	Tuttle
Clark, J. H.	Hennessy	Matthews	Schulz, H	Van Amber
Conklin	Herrman	McDermott	Seibert	Wells
Corrigan	Higbie	Melody	Sheffield	Whittet
Cutler	Hobbie	Messiter	Sherwood	Wieman
Davidson	Hoefler	Myers	Smith, M.F.	Wilcox
Dean	Horton	O'Donnell	Smith, S.W.	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 605) entitled "An act to amend chapter 696 of the Laws of 1887, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York, with water, and remitting assessments therefor'" Rec. No. 206), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Prescott	Stein
Babcock	Finnigan	Kerr	Rider, J.J.	Stevens
Baker	Fish	Kern	Robbins	Stewart
Braun	Foley	Kerrigan	Robertson	Stone
Brownell	Friday	Kneeland	Robson	Taylor

Bush	Fuller	Lawson	Roche	Terry, C W.
Butts	Gardiner	Lee	Scanlon	Terry, J.F.
Callahan	Gerst	Lounsbury	Schoepflin	Tilton
Carroll	Glenn	Marrin	Schulz, F.F.	Tobin
Cassin	Gould	Matthews	Schulz, H	Trainor
Chambers	Gray	McDermott	Seibert	Tuttle
Clark, F.E.	Hennessy	McKeon	Sheffield	Vacheron
Clark, J. H.	Higbie	Melody	Sherwood	Van Amber
Conklin	Hobbie	Messiter	Smith, M.F.	Vehslage
Corrigan	Hoefler	Myers	Smith, S.W.	Wells
Cutler	Horton	O'Donnell	Snyder	Whittet
Davidson	Hotaling	O'Grady	Southworth	Wieman
Denniston	Houghton	Parkhurst	Stadtfeld	Wyckoff
Eldredge	Keck	Porter		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 578) entitled "An act to lay out and establish a public park in the Twelfth ward in the city of New York to be known as Saint Nicholas park and for the improvements thereof" (Rec. No. 205), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the member selected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Parkhurst	Stadtfeld
Babcock	Finnigan	Kelsey	Porter	Stein
Baker	Fish	Kerr	Prescott	Stevens
Braun	Foley	Kern	Rider, J.J.	Stewart
Brownell	Friday	Kneeland	Robbins	Stone
Bush	Fuller	La Fetra	Robertson	Taylor
Butts	Gardiner	Lasch	Robson	Terry, C.W.
Carroll	Gerst	Lawson	Roche	Terry, J.F.
Chambers	Glenn	Lee	Ryder, E.L.	Thompson
Chapman	Gould	Lounsbury	Scanlon	Tobin
Clark, F.E.	Gray	Loonan	Schoepflin	Trainor
Clark, J. H.	Harrigan	Marrin	Schulz, F.F.	Tuttle
Conklin	Herrman	Matthews	Schulz, H	Vacheron
Coughlin	Higbie	McDermott	Seibert	Van Amber
Cutler	Hobbie	Melody	Sheffield	Vehslage

Davidson	Hoefler	Messiter	Sherwood	Wells
Dean	Horton	Mittnacht	Smith, M.F.	Whittet
Denniston	Hotaling	Myers	Smith, S.W.	Wieman
Dowling	Houghton	O'Donnell	Snyder	Wilcox
Eldredge	Keck	O'Grady	Southworth	Wyckoff

Ordered that the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 199) entitled "An act for the relief of Henry H. Brown" (Rec. No. 204), having been announced for a third reading,

On motion of Mr. Davidson, said bill was laid aside.

The Senate bill (No. 747) entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine the claim of George W. Sauer, and to make appropriation for the same or any part thereof, which shall be justly due" (Rec. No. 250), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keck	Parkhurst	Stein
Baker	Eldredge	Kelsey	Porter	Stevens
Braun	Fairbrother	Kerr	Prescott	Stewart
Brownell	Finnigan	Kern	Reilly	Stone
Bush	Fish	Kerrigan	Robbins	Sulzer
Butts	Friday	Kneeland	Robertson	Taylor
Callahan	Fuller	La Petra	Robson	Terry, C W.
Carroll	Gardiner	Lasch	Roche	Terry, J. F.
Cassin	Gerst	Lawson	Scanlon	Thompson
Chambers	Gleason	Lee	Schoepflin	Tobin
Clark, F.E.	Glenn	Lounsbury	Schulz, F.F.	Trainor
Clark, J. H.	Gould	Marrin	Schulz, H	Vacheron
Conklin	Gray	Matthews	Seibert	Van Amber
Corrigan	Herrman	McDermott	Sheffield	Wells
Coughlin	Hobbie	McKeon	Sherwood	Whittet
Cutler	Hobbie	Melody	Smith, M.F.	Wilcox
Davidson	Horton	Messiter	Smith, S.W.	Wyckoff
Dean	Hotaling	Myers	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 577) entitled "An act providing for the removal of incumbrances and obstructions upon the streets, sidewalks and public grounds in the Twenty-third and Twenty-fourth wards in the city of New York" (Rec. No. 186), having been announced for a third reading,

On motion of Mr. Butts, said bill was laid aside.

The Senate bill (No. 260) entitled "An act to regulate the compensation of laborers employed by the city of Brooklyn, under contract or otherwise, except skilled laborers" (Rec. No. 193), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 97 {
} NOES 00 {

Those who voted in the affirmative, were

Babcock	Denniston	Keleher	O'Grady	Snyder
Baker	Douglas	Kelsey	Parkhurst	Stadtfeld
Berry	Eldredge	Kerr	Porter	Stein
Braun	Fairbrother	Kern	Prescott	Stevens
Brennan	Finnigan	Kerrigan	Rider, J.J.	Stewart
Bush	Fish	Kneeland	Robbins	Stone
Butts	Friday	La Fetra	Robertson	Sulzer
Cahill	Fuller	Lasch	Robson	Taylor
Callahan	Gardiner	Lawson	Roche	Terry, C.W.
Carroll	Gerst	Lee	Ryder, E.L.	Terry, J.F.
Cassin	Glenn	Lounsbury	Scanlon	Tilton
Chambers	Gould	Marrin	Schoepflin	Trainor
Chapman	Gray	Matthews	Schulz, F.F.	Tuttle
Clark, F.E.	Herrman	McDermott	Schulz, H	Van Amber
Clark, J. H.	Higbie	McKeon	Seibert	Vehslage
Conklin	Hobbie	Melody	Sheffield	Wells
Corrigan	Horton	Messiter	Sherwood	Whittet
Coughlin	Hotaling	Mittnacht	Smith, M.F.	Wilcox
Cutler	Houghton	Myers	Smith, S.W.	Wyckoff
Dean	Keck			

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 719) entitled "An act relative to defraying the expenses of operating the lift and swing bridges along the lines of the State canals" (Rec. No. 245), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	O'Donnell	Southworth
Babcock	Douglas	Keleher	O'Grady	Stein
Baker	Eldredge	Kelsey	Porter	Stevens
Berry	Fairbrother	Kerr	Prescott	Stewart
Braun	Fish	Kern	Reilly	Stone
Brownell	Friday	Kerrigan	Rider, J.J.	Sulzer
Bush	Fuller	Kneeland	Robbins	Terry, C.W.
Butts	Gardiner	La Petra	Robertson	Terry, J.F.
Callahan	Gerst	Lasch	Robson	Thompson
Carroll	Glenn	Lawson	Roche	Trainor
Cassin	Gould	Lee	Scanlon	Tuttle
Chambers	Gray	Lounsbury	Schoepflin	Vacheron
Clark, F.E.	Herrman	Loonan	Schulz, F.F.	Van Amber
Clark, J. H.	Higbie	Matthews	Schulz, H	Vehslage
Conklin	Hobbie	McDermott	Seibert	Wells
Coughlin	Hoefler	McKeon	Sheffield	Whittet
Cutler	Horton	Melody	Sherwood	Wilcox
Davidson	Hotaling	Messiter	Smith, M.F.	Wyckoff
Dean	Houghton	Myers	Smith, S.W.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 219) entitled "An act making an appropriation for the construction of a drain in the village of Whitesboro, Oneida county" (Rec. No. 264), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Donnell	Stein
Babcock	Dinkelspiel	Houghton	O'Grady	Stevens
Baker	Dowling	Keck	Plant	Stewart
Braun	Eldredge	Kelsey	Porter	Stone
Brennan	Fairbrother	Kerr	Prescott	Sulzer
Brownell	Fish	Kern	Reilly	Taylor
Burtis	Friday	Kneeland	Robbins	Terry, C.W.
Bush	Fuller	La Fetra	Robertson	Terry, J.F.
Butts	Gardiner	Lasch	Robson	Tilton
Callahan	Gerst	Lawson	Scanlon	Trainor
Carroll	Glenn	Lee	Schoepflin	Tuttle
Cassin	Gould	Lounsbury	Schulz, F.F.	Vacheron
Chambers	Gray	Marrin	Schulz, H	Van Amber
Chapman	Hennessy	Matthews	Seibert	Vehslage
Clark, F.E.	Herrman	McDermott	Sheffield	Wells
Clark, J. H.	Higbie	McKeon	Sherwood	Whittet
Conklin	Hobbie	Melody	Smith, M.F.	Wilcox
Cutler	Hoefer	Messiter	Smith, S.W.	Wyckoff
Dean	Horton	Myers	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 423) entitled "An act to provide for the completion of spiling, widening, raising and reconstructing the highway leading east and west across the head of Owagena lake, in the town of Cazenovia, Madison county, and making an appropriation therefor" (Rec. No. 105), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Porter	Stein
Babcock	Eldredge	Kelsey	Prescott	Stevens
Baker	Fairbrother	Kerr	Reilly	Stewart
Braun	Fish	Kern	Rider, J.J.	Stone
Brownell	Foley	Kerrigan	Robbins	Sulzer

Bush	Friday	Kneeland	Robertson	Taylor
Butts	Fuller	La Petra	Robson	Terry, C.W.
Callahan	Gardiner	Lawson	Roche	Terry, J.F.
Carroll	Gerst	Lee	Scanlon	Thompson
Cassin	Glenn	Lounsbury	Schoepflin	Trainor
Chambers	Gould	Marrin	Schulz, F.F.	Tuttle
Chapman	Gray	Matthews	Schulz, H	Vacheron
Clark, F.E.	Hennessy	McDermott	Seibert	Van Amber
Clark, J. H.	Herrman	McKeon	Sheffield	Vehslage
Conklin	Higbie	Melody	Sherwood	Wells
Coughlin	Hobbie	Messiter	Smith, M.F.	Whittet
Cutler	Hoefer	Myers	Smith, S.W.	Wieman
Dean	Horton	O'Donnell	Snyder	Wilcox
Denniston	Hotaling	O'Grady	Stadtfeld	Wyckoff
Dinkelspiel	Houghton	Parkhurst		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ainsworth gave notice that to-morrow morning at 10 o'clock he would move a call of the House.

The Senate bill (No. 146) entitled "An act making an appropriation for constructing a hoist bridge over the Erie canal, on Geddes street, in the city of Syracuse" (Rec. No. 10), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	O'Grady	Stadtfeld
Babcock	Dowling	Keck	Parkhurst	Stein
Baker	Eldredge	Keleher	Porter	Stevens
Braun	Fairbrother	Kelsey	Prescott	Stewart
Brennan	Finnigan	Kern	Reilly	Stone
Brownell	Fish	Kerrigan	Rider, J.J.	Sulzer
Bush	Friday	Kneeland	Robertson	Taylor
Butts	Fuller	Lasch	Robson	Terry, C.W.
Callahan	Gardiner	Lawson	Roche	Terry, J.F.
Carroll	Gerst	Lee	Scanlon	Tilton
Cassin	Glenn	Lounsbury	Schoepflin	Trainor
Chambers	Gould	Marrin	Schulz, F.F.	Tuttle

Chapman	Gray	Matthews	Schulz, H	Vacheron
Clark, F. E.	Herrman	McDermott	Seibert	Van Amber
Clark, J. H.	Higbie	McKeon	Sheffield	Wells
Conklin	Hobbie	Melody	Sherwood	Whittet
Cutler	Hoefler	Messiter	Smith, M.F.	Wieman
Dean	Horton	Myers	Smith, S.W.	Wilcox
Denniston	Hotaling	O'Donnell	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 701) entitled "An act to authorize and direct the State Engineer and Surveyor to prepare plans, specifications and estimates for a complete overhauling or renewal of the West Main street lift-bridge over the Erie canal in the city of Rochester and making an appropriation therefor" (Rec. No. 246), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 91 {
} NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	Smith, S.W.	Snyder
Babcock	Dowling	Houghton	Myers	Stadtfeld
Baker	Eldredge	Hoysradt	O'Donnell	Stein
Berry	Fairbrother	Keck	O'Grady	Stevens
Braun	Fish	Keeran	Parkhurst	Stewart
Brownell	Friday	Keleher	Plant	Stone
Bush	Fuller	Kelsey	Porter	Taylor
Butts	Gardiner	Kerr	Prescott	Terry, C. W.
Cain	Gerst	Kern	Robertson	Terry, J. F.
Callahan	Glenn	Kneeland	Robson	Thompson
Carroll	Gould	Lawson	Ryder, E.L.	Trainor
Cassin	Gray	Lee	Scanlon	Tuttle
Chambers	Hennessy	Lounsbury	Schoepflin	Vacheron
Clark, F. E.	Herrman	Marrin	Schulz, F.F.	Van Amber
Clark, J. H.	Higbie	Matthews	Schulz, H	Wells
Conklin	Hobbie	McDermott	Sheffield	Wieman
Cutler	Hoefler	Melody	Sherwood	Wray
Dean	Horton	Messiter	Smith, M.F.	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 717) entitled "An act to authorize villages of the State of New York to furnish electric light or gas light to the inhabitants thereof" (Rec. No. 201), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Parkhurst	Stadtfeld
Babcock	Eldredge	Keleher	Porter	Stein
Baker	Fairbrother	Kelsey	Prescott	Stevens
Braun	Fish	Kern	Reilly	Stewart
Brennan	Friday	Kerrigan	Robbins	Stone
Brownell	Fuller	Kneeland	Robertson	Sulzer
Bush	Gardiner	La Fetra	Robson	Taylor
Butts	Gerst	Lawson	Roche	Terry, C.W.
Cain	Glenn	Lee	Scanlon	Terry, J.F.
Callahan	Gould	Lounsbury	Schoepflin	Tilton
Carroll	Gray	Marrin	Schulz, F.F.	Trainor
Cassin	Herrman	Matthews	Schulz, H.	Tuttle
Chambers	Higbie	McDermott	Seibert	Vacheron
Clark, F.E.	Hobbie	Melody	Sheffield	Van Amber
Clark, J. H.	Hoefer	Messiter	Sherwood	Wells
Conklin	Horton	Myers	Smith, M.F.	Whittet
Cutler	Hotaling	O'Donnell	Smith, S.W.	Wilcox
Dean	Houghton	O'Grady	Snyder	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 103) entitled "An act to authorize the Dunkirk and Fredonia Railroad Company to supply light, heat, power, steam and electricity to persons or corporations renting buildings or rooms of and from the said company, located on its power-house premises in the village of Fredonia, and also to supply the inhabitants with the same and to receive pay therefor" (Rec. No. 52), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Parkhurst	Stein
Babcock	Fairbrother	Kelsey	Porter	Stevens
Baker	Fish	Kerr	Prescott	Stewart
Braun	Foley	Kern	Rider, J.J.	Stone
Brownell	Friday	Kerrigan	Robbins	Sulzer
Bush	Fuller	Kneeland	Robertson	Taylor
Butts	Gardiner	Lasch	Robson	Terry, C.W.
Carroll	Gerst	Lawson	Scanlon	Terry, J.F.
Cassin	Glenn	Lee	Schoepflin	Thornton
Chambers	Gould	Lounsbury	Schulz, F.F.	Tobin
Chapman	Gray	Loonan	Schulz, H	Trainor
Clark, F.E.	Herrman	Marrin	Seibert	Tuttle
Clark, J. H.	Higbie	Matthews	Sheffield	Vacheron
Conklin	Hobbie	McDermott	Sherwood	Van Amber
Coughlin	Hoefer	Melody	Smith, M.F.	Wells
Cutler	Horton	Messiter	Smith, S.W.	Whittet
Dean	Hotaling	Mittnacht	Snyder	Wilcox
Denniston	Houghton	Myers	Stadtfeld	Wyckoff
Douglas	Hoysradt			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 100) entitled "An act to amend section 682 of the Code of Civil Procedure, relating to liens on real property" (Rec. No. 184), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Porter	Stadtfeld
Babcock	Fish	Kerr	Prescott	Stein
Baker	Friday	Kern	Rider, J.J.	Stevens

Berry	Fuller	Kneeland	Robbins	Stewart
Braun	Gardiner	La Fetra	Robertson	Sulzer
Brownell	Gerst	Lasch	Robson	Taylor
Bush	Glenn	Lawson	Ryder, E.L.	Terry, C.W.
Butts	Gould	Lee	Scanlon	Terry, J.F.
Carroll	Gray	Lounsbury	Schoepflin	Thompson
Chambers	Herrman	Marrin	Schulz, F.F.	Tobin
Clark, F.E.	Higbie	Matthews	Schulz, H	Trainor
Clark, J. H.	Hobbie	McDermott	Seibert	Tuttle
Conklin	Hoefer	Melody	Sheffield	Vacheron
Coughlin	Horton	Messiter	Sherwood	Van Amber
Cutler	Hotaling	Mitnacht	Smith, M.F.	Wells
Dean	Houghton	Myers	Smith, S.W.	Whittet
Denniston	Hoysradt	O'Donnell	Snyder	Wilcox
Douglas	Keleher	Parkhurst	Southworth	Wyckoff
Eldredge				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 50) entitled "An act to amend the Code of Criminal Procedure, by inserting therein three new sections to be known as sections 696, 69 and 698, relating to conditional pardon" (Rec. No. 36), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Parkhurst	Southworth
Babcock	Dinkelspiel	Hotaling	Porter	Stadtfeld
Baker	Dowling	Houghton	Prescott	Stein
Braun	Eldredge	Hoysradt	Reilly	Stevens
Brennan	Fairbrother	Keck	Rider, J.J.	Stewart
Brownell	Fish	Kelsey	Robbins	Taylor
Burtis	Friday	Kern	Robertson	Terry, C.W.
Bush	Fuller	Kneeland	Roche	Terry, J.F.
Butts	Gardiner	La Fetra	Scanlon	Tilton
Callahan	Gerst	Lawson	Schoepflin	Tobin
Carroll	Glenn	Lee	Schulz, F.F.	Trainor
Cassin	Gould	Lounsbury	Schulz, H	Vacheron
Chambers	Gray	Marrin	Seibert	Van Amber
Clark, F.E.	Hennessy	Matthews	Sheffield	Wells

Clark, J. H.	Herrman	Melody	Sherwood	Whittet
Conklin	Higbie	Messiter	Smith, M.F.	Wilcox
Cutler	Hobbie	Mitnacht	Smith, S.W.	Wyckoff
Dean	Hoefer	Myers	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1600) entitled "An act to amend section 1925 of the Code of Civil Procedure, in relation to maintaining actions to prevent waste of public funds" (Int. No. 1457), was read the second time.

On motion of Mr. Prescott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1602) entitled "An act to amend the banking law" (Int. No. 162), having been announced for a second reading,

On request of Mr. Keck, said bill was laid aside.

The Senate bill (No. 931) entitled "An act to amend chapter 256 of the Laws of 1888, entitled 'An act to prevent the use of certain parks and streets in the city of New York for railroad'" (Rec. No. 326), was read the second time.

On motion of Mr. Lawson, said bill was placed on the order of third reading.

The bill (No. 1606) entitled "An act to provide for the erection of a building for court purposes in the city of New York" (Int. No. 1000), was read the second time.

On motion of Mr. Dinkelspiel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1603) entitled "An act to amend section 2 of title 3 of chapter 383 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' by creating a new department to be known as the department of street cleaning" (Int. No. 1243), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1607) entitled "An act conferring upon voters in municipal corporations the power of legislation by direct vote" (Int. No. 1330), having been announced for a second reading,

Mr. E. L. Ryder moved to amend said bill as follows:

Section 5, line 21, after the word "proposal" insert the word "the."

Section 6, lines 25, 3, 9 and 11, change the word "Legislature" to the word "legislative."

Same section, line 10, strike out the word "after."

Section 7, lines 15, 18 and 22, change the word "Legislature" to the word "legislative."

Section 8, line 25, change the word "Legislature" to the word "legislative."

Same section, line 26, after the word "designate" insert the word "as."

Section 26, line 25, change the word "proposed" to the word "proposal."

Page 11, section 30, line 4, change the word "demand" to the word "proposal."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1608) entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws,' as amended by chapter 306 of the Laws of 1892" (Int. No. 432), having been announced for a second reading,

Mr. Burtis moved to amend said bill as follows:

Amend section 1, lines 4 and 5 so as to read "general laws, as amended by chapter 434 of the Laws of 1893 is hereby amended."

Page 2, line 6, change the word "or" to "and."

Page 5, line 10, after the word "shall" insert the words "be deemed to be in full force and effect and shall."

Same page, line 11, change the word "three" to "six."

Same page, line 26, change the word "convenience" to "inconvenience."

Page 6, after line 12, insert the words "Nothing herein contained shall be construed as applying to or affecting or modifying the terms of a certain contract bearing date January 1, 1892, entered into by and between the city of Buffalo and the various street surface railroad corporations therein named in such contract."

Amend the title so as to read as follows:

"An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws,' as amended by chapter 434 of the Laws of 1893."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (No. 1609) entitled "An act to amend section 1 of article 1 of title 19 of chapter 20 of part 1 of the Revised Statutes, entitled 'Of brokerage, stock-jobbing and pawn-brokers'" (Int. No. 1321), was read the second time.

On motion of Mr. Braun, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1610) entitled "An act concerning the Niagara Falls Suspension Bridge Company, and to amend chapter 133 of the Laws of 1855, entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' as revived and extended by chapter 239 of the Laws of 1867" (Int. No. 179), having been announced for a second reading,

On request of Mr. Ainsworth, said bill was laid aside.

The bill (No. 1611) entitled "An act to limit the powers of constables and to extend the powers of the members of the police force in criminal actions and proceedings in the county of Richmond" (Int. No. 964), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 410) entitled "An act to amend chapter 371 of the Laws of 1893, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts, and to create a police fund, and define the jurisdiction, powers and duties of the police justice and policemen of said village'" (Int. No. 643), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

The bill (No. 1613) entitled "An act to amend an act entitled 'An act respecting elections other than for militia and town officers,' being chapter 140 of the Laws of 1842" (Int. No. 492), having been announced for a second reading,

Mr. Gardiner moved to amend said bill by substituting the following therefor:

AN ACT to provide for the compensation of election officers.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1 Section 17 of the election law is hereby amended to read as follows :

§ 17. Payment of election expenses.—The expense of providing polling places, voting booths, supplies therefor and other furniture of the polling place and the compensation of the election officers in each election district, shall be a charge upon the town or city in which such election district is situated, except that such expenses incurred for the purpose of conducting a village election not held at the same time as a general election shall be a charge upon the village.

The expense of printing and delivering the ballots and cards of instruction to be used at a town meeting, city or village election, not held at the same time as a general election, and of printing the lists of nominations therefor, shall be a charge upon the town, city or village in which the election is held.

The expense of printing and delivering the ballots and cards of instruction to be used in any county at any other election, if no town meeting, city or village election be held at the same time therewith, and of printing the lists of nominations therefor, shall be a charge upon such county.

The expense of printing and delivering the ballots and cards of instruction to be used in any county at any such other election, and of printing the lists of nominations therefor, if a town meeting, city or village election be held in such county at the same time therewith, shall be apportioned by the county clerk between such town, city or village, and such county, in the proportion of the number of candidates for town, city or village officers on such ballots, respectively, to the whole number of candidates thereon, and the amount of such expense so apportioned to each such municipality shall be a charge thereon. For the purposes of this section, the county of Kings includes only that portion of the county outside the city of Brooklyn. All expenses lawfully incurred by the board of elections of the city of Brooklyn shall be a charge on such city.

The county clerk of each county, not salaried, shall be paid by such county a reasonable compensation for his services in carrying out the provisions of this chapter to be fixed by the board of supervisors of the county.

The town clerk of each town shall be paid by such town, a reasonable compensation for his services in carrying out the provisions of this chapter, to be fixed by the other members of the town board of the town.

Ballot clerks and persons acting as such, and clerks of boards of registry in cities, except New York and Brooklyn, shall receive the same compensation for their attendance at an election

or meeting for registry in pursuance of law, as inspectors of election, and be paid in like manner.

Inspectors of election in towns shall receive the sum of four dollars for each meeting at which they shall attend as a board of inspectors of election, or as a board of registration for any election provided by law.

An inspector of election lawfully required to file any papers in a county clerk's office shall, unless he reside in a city or town in which such office is situated, be entitled to receive as compensation therefor, four cents a mile for every mile actually and necessarily traveled between his residence and such clerk's office, in going to and returning from such office, and five dollars. Inspectors of election, poll clerks and ballot clerks in cities shall be entitled to such compensation as shall be fixed by the common council of such city which shall not be less than is fixed by law for like service for like officers in towns nor more than five dollars per day.

§ 2. Section 178 of the town law is hereby amended to read as follows:

§ 178. The following town officers shall be entitled to compensation at the following rates for each day actually and necessarily devoted by them to the service of the town in the duties of their respective offices, when no fee is allowed by law for the service. The supervisor except when attending the board of supervisors, town clerks, assessors, commissioner of highways, justices of the peace, overseers of the poor, two dollars per day each of them. Clerks of the polls, four dollars a day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (No. 1612) entitled "An act to provide for a county auditor and to regulate the purchase of supplies for the county institutions and officers of the county of Erie" (Int. No. 1352), was read the second time.

On motion of Mr. Schoepflin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1692) entitled "An act to amend the Penal Code" (Int. No. 1133), was read the second time.

On motion of Mr. La Fetra, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1691) entitled "An act relative to persons holding the office of justice of the peace" (Int. No. 1261), was read the second time.

On motion of Mr. Porter, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1601) entitled "An act for the adjustment and satisfaction of certain taxes upon the property of Union College" (Int. No. 951), having been announced for a second reading,

Mr. Robinson moved to amend said bill as follows:

At the end of section 1 add the words "The city treasurer and receiver of Long Island City shall ascertain and certify to the Comptroller of the State the amount of the difference between the taxes and interest and percentages actually due and the amount actually paid by said Union College under the provisions of this law, and the said Comptroller shall, within thirty days after the receipt of such certificate, pay over to the city treasurer and receiver of Long Island City the amount of such difference so certified. And on failure to pay the same, such amount shall be made good to Long Island City, by crediting to Long Island City annually its share of State taxes, until the whole of the amount so certified shall be liquidated."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (No. 190) entitled "An act to extend the drill-hall and rifle-range, and make certain additions to armory in the village of Mohawk, county of Herkimer, and making an appropriation therefor" (Int. No. 261), was read the second time.

On motion of Mr. Prescott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1689) entitled "An act for the erection at the State normal and training school at Geneseo, New York, of a new building to be used for the scientific department and other purposes, and also an additional, separate building for a furnace and boiler-house for heating the several buildings of said school, and making an appropriation therefor" (Int. No. 717), having been announced for a second reading,

On motion of Mr. Kelsey, said bill was amended as follows:

Section 1, line 1, strike out the word "twenty" and insert the word "sixty-five."

Said bill, as amended, was then read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1599) entitled "An act to provide for the annexa-

tion to the city of Brooklyn of the town of Gravesend, in Kings county" (Int. No. 1035), was read the second time.

On motion of Mr. Friday, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 938) entitled "An act to amend chapter 576 of the Laws of 1893, entitled 'An act relative to the water-works department of the city of Troy, and to provide for an increased supply of water in said city'" (Rec. No. 338), was read the second time.

On motion of Mr. Keenan, said bill was placed on the order of third reading.

The bill (No. 1677) entitled "An act to establish and maintain a police force in the city of Troy" (Int. No. 1140), having been announced for a second reading,

Mr. Keenan moved to amend said bill as follows:

Strike out all of section 3 and insert the following:

"§ 3. Within ten days after the passage of this act the mayor shall appoint four police commissioners, two of whom shall hold their offices for the term of two years and two of whom shall hold their offices for the term of four years and until their successors shall respectively be appointed and shall have qualified, and each of whose successors in office shall hold office for the term of four years and until his successor shall be appointed and shall have qualified. One of the commissioners who shall hold for the term of two years, and one of the commissioners who shall hold for the term of four years shall belong to and be of the same political faith and opinion on State and national issues as the political party which shall at the last preceding general election for State officers have cast the greatest number of votes in the city of Troy, and the other two commissioners shall belong to and be of the same political faith and opinion on State and national issues as the party which shall at such election have cast the next greatest number of votes for such officers. In case of the removal, resignation or death of any police commissioner his successor shall within ten days thereafter be appointed by the mayor for the remainder of the unexpired term, and the successor so appointed shall be of like political faith and opinion and belong to the same political party as the commissioner whose removal, resignation or death shall have created such vacancy. And at the expiration of the term of office of any police commissioner the mayor in appointing commissioners for the full term shall not appoint more than one commissioner from the same political party, and one of such commissioners shall belong to the political party polling the highest number of votes as aforesaid, and the

other of such commissioners shall belong to the political party polling the next highest number of votes as aforesaid. No person shall be appointed to or hold the office of police commissioner who holds any other office named in this act or in the charter of the city of Troy."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 48 }
 { NOES 67 }

Those who voted in the affirmative, were

Berry	Corrigan	Herrman	McDermott	Robinson
Brennan	Coughlin	Hoysradt	McKeon	Roche
Bush	Davidson	Keenan	McNamee	Schillinger
Butts	Dinkelspiel	Keleher	Melody	Southworth
Cahill	Dowling	Kerr	Mitnacht	Stadtfeld
Cain	Finnigan	Kerrigan	Myers	Stein
Callahan	Foley	La Fetra	O'Donnell	Sulzer
Carroll	Gleason	Lasch	Plant	Trainor
Cassin	Harrigan	Loonan	Reilly	Vehslage
Chapman	Hennessy	Marrin		

Those who voted in the negative, were

Ainsworth	Fuller	Kneeland	Robson	Stone
Babcock	Gardiner	Lawson	Scanlon	Taylor
Baker	Gerst	Lee	Schoepflin	Terry, C W.
Brownell	Glenn	Lounsbury	Schulz, F.F.	Terry, J.F.
Burtis	Gould	Matthews	Schulz, H	Tilton
Chambers	Higbie	Messiter	Seibert	Tuttle
Clark, F.E.	Hobbie	O'Grady	Sheffield	Vacheron
Conklin	Hoefer	Parkhurst	Sherwood	Van Amber
Cutler	Horton	Porter	Smith, M. F.	Wells
Denniston	Hotaling	Prescott	Smith, S.W.	Whittet
Eldredge	Houghton	Rider, J.J.	Snyder	Wieman
Fairbrother	Keck	Robbins	Stevens	Wilcox
Fish	Kelsey	Robertson	Stewart	Wyckoff
Friday	Kern			

Said bill was then read the second time, placed on the order of third reading, and referred to the committee on revision.

Mr. Marrin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Legislature adjourn sine die on the 26th day of April, 1894, at 12 o'clock noon.

Mr. Fish moved to lay said resolution on the table.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

{ AYES 66 }
 { NOES 46 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robbins	Taylor
Babcock	Fuller	Kern	Robertson	Terry, C.W.
Baker	Gardiner	Kneeland	Robson	Terry, J.F.
Braun	Gerst	Lawson	Scanlon	Tilton
Brownell	Glenn	Lee	Schoepflin	Tuttle
Burtis	Gould	Lounsbury	Schulz, F.F.	Vacheron
Chambers	Higbie	Matthews	Seibert	Van Amber
Clark, F.E.	Hobbie	Messiter	Sherwood	Wells
Conklin	Hoefler	O'Grady	Smith, M.F.	Whittet
Cutler	Horton	Parkhurst	Smith, S.W.	Wieman
Denniston	Hotaling	Porter	Snyder	Wilcox
Eldredge	Houghton	Prescott	Stevens	Wyckoff
Fairbrother	Keck	Rider, J.J.	Stewart	Speaker
Fish				

Those who voted in the negative, were

Berry	Coughlin	Herrman	McDermott	Robinson
Brennan	Davidson	Hoysradt	McKeon	Roche
Butts	Dinkelspiel	Keenan	McNamee	Schillinger
Cahill	Dowling	Kerr	Melody	Southworth
Cain	Finnigan	Kerrigan	Mitnacht	Stadtfeld
Callahan	Foley	La Fetra	Myers	Stein
Carroll	Gleason	Lasch	O'Donnell	Sulzer
Cassin	Harrigan	Loonan	Plant	Trainor
Chapman	Hennessy	Marrin	Reilly	Vehslage
Corrigan				

The bill (No. 1526) entitled "An act to repeal chapter 526 of the Laws of 1869, entitled 'An act to establish a uniform width of tracks for vehicles using the public highways in the town of East Hampton and South Hampton, Suffolk county'" (Int. No. 1336), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1486) entitled "An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery" (Int. No. 1285), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1637) entitled "An act to amend chapter 238 of the Laws of 1890, relating to the commitments to the Western House of Refuge for Women" (Int. No. 1401), was read the second time.

On motion of Mr. Schoepflin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 171) entitled "An act to regulate assessments and to provide for home rule in taxation" (Int. No. 176), having been announced for a second reading,

On request of Mr. Ainsworth, said bill was laid aside.

The bill (No. 279) entitled "An act to amend an act entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof'" (Int. No. 275), was read the second time.

On motion of Mr. Messiter, said bill was placed on the order third reading and referred to the committee on revision.

The bill (No. 1283) entitled "An act relating to an approach to the Washington bridge in the city of New York, known as Boscobel avenue" (Int. No. 1166), was read the second time.

On motion of Mr. Marrin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1644) entitled "An act to amend section 1338 of the Code of Civil Procedure, relative to appeals" (Int. No. 1448), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1673) entitled "An act authorizing the construction of a stone wall along the edge of the towing path of the Erie canal, and on the west line of property known as No. 10 Austin street in the city of Buffalo, and making an appropriation therefor" (Int. No. 1437), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1633) entitled "An act to amend section 65 of title 2, chapter 3, part 4 of the Revised Statutes, relating to State prisons, with respect to assistant clerk to take affidavits" (Int. No. 1394), was read the second time.

On motion of Mr. Wilcox, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1549) entitled "An act to amend sections 10 and 11 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city'" (Int. No. 1351), was read the second time.

On motion of Mr. McDermott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1582) entitled "An act to amend chapter 555 of the Laws of 1885, entitled 'An act to regulate and fix the pay or compensation of members of the police force who are police surgeons or doormen in all cities of this State having, according to the last census, a population exceeding 800,000'" (Int. No. 1344), having been announced for a second reading,

Mr. Burtis moved to amend by exempting the city of Brooklyn from its provisions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1521) entitled "An act to authorize the board of street opening and improvement of the city of New York to establish a place on the southeasterly projection of Cedar Park, in said city, for the convenience of public travel and traffic" (Int. No. 1322), was read the second time.

On motion of Mr. Marrin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1373) entitled "An act to further amend section 307 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888 and chapter 531 of the Laws of 1890, relating to a pension fund for the police department of said city" (Int. No. 1214), was read the second time.

On motion of Mr. Stein, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1618) entitled "An act to amend chapter 83 of the Laws of 1835, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled An act to consolidate and amend the several acts relating to the village of Lancaster, and to enlarge the powers of the corporation of said village'" (Int. No. 1368), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 628) entitled "An act in relation to mines" (Rec. No. 275), having been announced for a second reading,

On request of Mr. Eldredge, said bill was laid aside.

The Senate bill (No. 797) entitled "An act to amend section 258 of the Code of Civil Procedure, relative to the stenographers of the Supreme court" (Rec. No. 255), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

Mr. Butts offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk be directed to take all bills from the files of members and hereafter to place on the files of members only those bills that are on the day calendar.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

The Senate bill (No. 653) entitled "An act to amend section 1380 of the Code of Civil Procedure" (Rec. No. 239), was read the second time.

On motion of Mr. J. J. Rider, said bill was placed on the order of third reading.

The Senate bill (No. 4) entitled "An act to amend section 3347 of the Code of Civil Procedure" (Rec. No. 151), was read the second time.

On motion of Mr. J. F. Terry, said bill was placed on the order of third reading.

The Senate bill (No. 529) entitled "An act to amend sections 1042 and 1176 of the Code of Civil Procedure, in relation to drawing and challenging jurors" (Rec. No. 188), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

The Senate bill (No. 665) entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police force in the city of Yonkers'" (Rec. No. 231), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

The Senate bill (No. 802) entitled "An act to amend the agricultural law and the Penal Code, relative to violations of the same" (Rec. No. 283), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The Senate bill (No. 5) entitled "An act to amend section 1166 of the Code of Civil Procedure" (Rec. No. 152), was read the second time.

On motion of Mr. J. F. Terry, said bill was placed on the order of third reading.

The Senate bill (No. 788) entitled "An act to amend title 5 of chapter 18 of the Code of Civil Procedure, in relation to, and to provide for, disposition of decedent's real property for the payment of debts, funeral expenses and certain liens thereon" (Rec. No. 240), was read the second time.

On motion of Mr. J. J. Ryder, said bill was placed on the order of third reading.

The Senate bill (No. 633) entitled "An act in relation to the coroner's physician in the eastern district of the county of Kings" (Rec. No. 215), was read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading.

The Senate bill (No. 153) entitled "An act to provide for the payment of rent for certain buildings in Long Island City, used for educational purposes by said city" (Rec. No. 44), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading.

The Senate bill (No. 825) entitled "An act making an appropriation for repairing and extending the high retaining wall of the Erie canal on the west side of South Saint Paul street, in the city of Rochester, New York, between the north line of Court street and the aqueduct crossing the Genesee river" (Rec. No. 325), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The Senate bill (No. 499) entitled "An act to amend section 699 of the Penal Code, in relation to criminal charges against children" (Int. No. 179), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The Senate bill (No. 471) entitled "An act to facilitate State commerce by increasing the lockage capacity of the Erie and Oswego canals, and by improving the Erie, Oswego, Black river, Seneca, Cayuga and Champlain, and the Seneca lake level of the Chemung canal, and making appropriations therefor" (Rec. No. 238), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading.

The bill (No. 1465) entitled "An act making appropriation for the promotion of agriculture in this State" (Int. No. 542), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hotaling	O'Donnell	Southworth
Babcock	Denniston	Houghton	O'Grady	Stadtfeld
Baker	Dinkelspiel	Kelsey	Parkhurst	Stein
Berry	Dowling	Kern	Plant	Stevens
Braun	Eldredge	Kerrigan	Porter	Stewart
Brennan	Fairbrother	Kneeland	Reilly	Stone
Brownell	Fish	La Fetra	Rider, J.J.	Sulzer
Burtis	Foley	Lasch	Robertson	Taylor
Bush	Friday	Lawson	Robinson	Terry, J.F.
Butts	Fuller	Lee	Robson	Tilton
Cahill	Gardiner	Lounsbury	Scanlon	Trainor
Cain	Gleason	Loonan	Schillinger	Tuttle
Carroll	Glenn	Marrin	Schoepflin	Vacheron
Cassin	Gould	Matthews	Schulz, F.F.	Van Amber
Chambers	Harrigan	McDermott	Schulz, H	Vehslage
Chapman	Herrman	McKeon	Seibert	Wells
Clark, F.E.	Higbie	McNamee	Sherwood	Whittet

Conklin	Hobbie	Melody	Smith, M.F.	Wilcox
Corrigan	Hoefer	Messiter	Smith, S.W.	Wyckoff
Cutler	Horton	Mitnacht	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend chapter 435 of the Laws of 1879, entitled 'An act in relation to the raising of funds for the relief of the poor of the town of Plattsburgh, in the county of Clinton,' passed May 30, 1879." (Int. No. 1061.)

"An act to amend chapter 137 of the Laws of 1877, entitled 'An act to incorporate the library and reading room of the village of Port Chester, in Westchester county.'" (Int. No. 906.)

"An act to amend the highway law, relating to laying out highways upon line between town and city or village." (Int. No. 1223.)

"An act to amend chapter 356 of the Laws of 1889, entitled 'An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn.'" (Int. No. 1217.)

"An act to amend chapter 195 of the Laws of 1848, entitled 'An act to provide for the taking of acknowledgments of deeds and other written instruments by persons residing out of the State of New York,' and acts amendatory thereof and supplemental thereto." (Int. No. 1262.)

"An act to amend the statutory construction law, in reference to the computation of days." (Int. No. 1153.)

"An act authorizing the construction of an iron bridge over the Champlain canal at North street, in the village of Mechanicville, Saratoga county, and abutments and approaches thereto, and making an appropriation therefor." (Int. No. 152.)

"An act relating to State finances, constituting chapter 10 of the general law." (Int. No. 225.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,' relative to the opening of streets and avenues in the Twenty-third and Twenty-fourth wards and the department of public works of the city of New York." (Int. No. 1082.)

"An act to amend chapter 583 of the Laws of 1888, entitled

‘An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn, relating to the department of fire.’ (Int. No. 1215.)

‘An act to amend chapter 39 of the Laws of 1853, as amended by chapter 679 of the Laws of 1871, entitled ‘An act to supply the city of Watertown with pure and wholesome water and for other purposes,’ making water rents a lien on real estate.’ (Int. No. 1080.)

‘An act to further extend and amend an act entitled ‘An act to incorporate the Wandowenock Fire Hook and Ladder Company,’ passed April 15, 1845.’ (Int. No. 1203.)

‘An act to amend chapter 600 of the Laws of 1893, entitled ‘An act to reduce, confirm and levy certain assessments in the city of Albany, to provide for the payment thereof, and in relation to certain sales thereunder.’ ” (Int. No. 1122.)

‘An act to amend the county law, relating to powers of supervisors with reference to tires on wagons.’ (Int. No. 827.)

‘An act to amend chapter 347 of the Laws of 1890, entitled ‘An act to provide for the payment of the cost and expenses of the construction of a trunk sewer on the east side of the Genesee river, in the city of Rochester, by the issue of bonds of said city, and providing for the payment of said bonds by local assessments,’ and theseveral acts amendatory thereof and supplementary thereto.” (Int. No. 1275.)

‘An act to amend chapter 583 of the Laws of 1888, entitled ‘An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,’ and acts amendatory thereof and supplemental thereto, relating to the board of education in the city of Brooklyn.” (Int. No. 1093.)

‘An act to amend the highway law, relating to commutation money for road district work.’ (Int. No. 1219.)

‘An act to open a certain part of State street in the city of Brooklyn, as laid down on the commissioners’ map of said city, from the westerly side of Furman street to the river, and in relation to the improvements of said street. (Int. No. 1213.)

The privileges of the floor were granted to Hon. William H. Keyes of New York.

The hour of 6.30 o’clock having arrived, the House adjourned.

FRIDAY, APRIL 13, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Dr. S. F. Morrow.

The journal having been read,

Mr. Ainsworth moved that the journal be approved as read.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 68 }
{ NOES 47 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robertson	Taylor
Babcock	Fuller	Kern	Robson	Terry, C.W.
Baker	Gardiner	Kneeland	Scanlon	Terry, J.F.
Brownell	Gerst	Lawson	Schoepflin	Thompson
Burtis	Glenn	Lee	Schulz, H	Tilton
Chambers	Gould	Lounsbury	Seibert	Tuttle
Clark, F.E.	Gray	Matthews	Sherwood	Vacheron
Conklin	Hobbie	Messiter	Smith, M.F.	Van Amber
Cutler	Hoefler	O'Grady	Smith, S.W.	Wells
Dean	Horton	Parkhurst	Snyder	Whittet
Denniston	Hotaling	Porter	Stevens	Wilcox
Eldredge	Houghton	Prescott	Stewart	Wyckoff
Fairbrother	Howe	Rider, J.J.	Stone	Speaker
Fish	Keck	Robbins		

Those who voted in the negative, were

Berry	Corrigan	Keenan	McKeon	Ryder, E.L.
Brennan	Davidson	Keleher	McNamee	Schillinger
Bush	Dinkelspiel	Kerr	Melody	Southworth
Butts	Douglas	Kerrigan	Mittnacht	Stadtfeld
Cahill	Dowling	La Fetra	Myers	Stein
Cain	Foley	Lasch	Plant	Sulzer
Callahan	Gleason	Loonan	Reilly	Tobin
Carroll	Hennessy	Marrin	Robinson	Trainor
Cassin	Herrman	McDermott	Roche	Vehslage
Chapman	Hoysradt			

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

"An act providing for the sale of a certain piece of land belonging to the State of New York." (No. 166, Int. No. 627.)

"An act authorizing the town of Somers, in the county of

Westchester, to convey the old cemetery in the village of Somers to the Ivandell Cemetery Association." (No. 1031, Int. No. 872.)

"An act to amend the town law, in relation to town meetings." (No. 630, Int. No. 591.)

"An act to amend chapter 537 of the Laws of 1893, entitled 'An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York, or otherwise.'" (No. 1463, Int. No. 1281.)

"An act to prevent the pollution of the Oswegatchie river and the water supply of the city of Ogdensburg." (No. 1101, Int. No. 1067.)

"An act to amend chapter 317 of the Laws of 1887, entitled 'An act to authorize the incorporation of bar associations in the several counties of this State,' relating to number of trustees constituting a quorum." (No. 1010, Int. No. 925.)

"An act in relation to the estate of Elizabeth Dean, deceased." (No. 885, Int. No. 814.)

"An act to release to Elizabeth Smith all the right, title and interest of the people of the State of New York in and to certain real estate in the city and county of Schenectady, N. Y." (No. 383, Int. No. 376.)

"An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York.'" (No. 551, Int. No. 517.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 847) entitled "An act to incorporate the Provident Loan Society of New York" (Int. No. 782), with a message that they have agreed to the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 701) entitled "An act to amend the Code of Civil Procedure, relating to summary proceedings to recover the possession of real property" (Int. No. 183), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills:

"An act to provide for the construction of the Eastern New York Reformatory, and making an appropriation therefor." (No. 864, Int. No. 429.)

"An act making an appropriation for the support of government." (No. 576, Int. No. 582.)

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent,

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1248, entitled "An act to amend the legislative law, relative to the printing of the Session Laws," reported in favor of the passage of the same, without amendment, which report was agreed to.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Parkhurst	Southworth
Babcock	Dinkelspiel	Howe	Plant	Stadtfeld
Baker	Douglas	Keck	Porter	Stein
Berry	Dowling	Keleher	Prescott	Stewart
Braun	Eldredge	Kelsey	Reilly	Stone
Brennan	Fairbrother	Kerr	Rider, J.J.	Sulzer
Brownell	Finnigan	Kern	Robbins	Terry, C.W.
Burtis	Fish	Kneeland	Robinson	Terry, J.F.
Bush	Friday	La Fetra	Robson	Thompson
Butts	Fuller	Lasch	Roche	Tilton
Cain	Gardiner	Lawson	Ryder, E.L.	Tobin
Carroll	Gerst	Lee	Scanlon	Trainor
Cassin	Gleason	Lounsbury	Schillinger	Tuttle
Chambers	Glenn	Loonan	Schoepflin	Vacheron
Chapman	Gould	McDermott	Schulz, F.F.	Vehslage

Clark, F.E.	Gray	McKeon	Schulz, H	Wells
Conklin	Herrman	Melody	Sheffield	Whittet
Corrigan	Hobbie	Messiter	Sherwood	Wieman
Cutler	Hoefer	Mittnacht	Smith, M.F.	Wilcox
Davidson	Horton	O'Donnell	Smith, S.W.	Wyckoff
Dean	Hotaling	O'Grady	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Ainsworth, the Senate bill (No. 862) entitled "An act to amend chapter 665 of the Laws of 1893, entitled 'An act to authorize the construction and maintenance of a bridge across the Albany basin'" (Int. No. 324), which was made a special order for second and third readings at 11 o'clock A. M. to-day, was made a special order for Monday evening, immediately after the reading of the journal, on second and third readings.

Mr. Porter offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on soldiers' home be authorized and empowered, and they are hereby authorized and empowered, to visit the Soldiers' Home at Bath, and the said committee are hereby instructed to report to the Assembly the result of such visit and any recommendations they may think proper relating thereto.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Porter	Stevens
Babcock	Fairbrother	Keleher	Prescott	Stewart
Baker	Finnigan	Kelsey	Rider, J.J.	Stone
Berry	Fish	Kerr	Robbins	Sulzer
Braun	Friday	Kern	Robertson	Terry, C.W.
Brennan	Fuller	Kneeland	Robinson	Terry, J.F.
Brownell	Gardiner	La Fetra	Robson	Thompson
Burtis	Gerst	Lasch	Roche	Tilton
Bush	Gleason	Lawson	Ryder, E.L.	Tobin
Chambers	Glenn	Lee	Scanlon	Trainor
Clark, F.E.	Gould	Lounsbury	Schillinger	Tuttle
Conklin	Gray	Loonan	Schoepflin	Vacheron
Corrigan	Herrman	McDermott	Sherwood	Vehslage
Cutler	Hobbie	Melody	Smith, M.F.	Wells
Dean	Hoefer	Messiter	Snyder	Whittet

Denniston	Horton	Mittnacht	Southworth	Wieman
Dinkelspiel	Hotaling	Myers	Stadtfeld	Wilcox
Douglas	Houghton	O'Grady	Stein	Wyckoff
Dowling	Howe	Parkhurst		

Mr. Fish, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Sheffield, Int. No. 434, entitled "An act with reference to the removal and appointment of heads of departments in the city of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Fish moved that the time in which the committee on the affairs of cities be allowed to make reports, be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Berry, Int. No. 1289, entitled "An act to appoint water commissioners and to empower the taxpayers and voters of the city of Mount Vernon, Westchester county, to raise by vote and the board of water commissioners of said city upon such vote to borrow upon the credit of said city and issue bonds for a sum not exceeding fifteen per cent of the assessed valuation of the property of the city as appears upon the assessment roll of said city for the year 1893, for the purpose of purchasing the necessary lands, water property rights, easements and franchises therefor in said county and any adjoining county and for the construction, building and furnishing a system of water works to supply said city with pure and wholesome water," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Robertson, Int. No. 752, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to declare the special and local laws affecting public interests in the city of New York with reference to the appointment of commissioners of parks in said city,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Butts, Int. No. 507, entitled "An act to lay out and establish a grand boulevard and concourse, together with fifteen roads running transversely underneath said boulevard in the city of New York," reported the same for the consideration of the House, with the following amendments :

Strike out section 5 and insert the following:

"§ 5. The oath to be taken by the commissioners of estimate and assessment, who shall be appointed hereunder, shall forthwith be filed in the office of the clerk of the city and county of New York, and two years from the date of the filing of said oath, or upon the sooner confirmation by the court of the report of said commissioners of estimate and assessment, when such report shall be final and conclusive, as well upon the mayor, aldermen and commonalty of the city of New York, as upon the owners, lessees, persons and parties interested in and entitled to the lands, tenements, hereditaments and premises mentioned in said report, and also upon all other persons whomsoever; then immediately after the expiration of said two years, or upon the sooner confirmation by the court of the report of said commissioners of estimate and assessment, the title of the real estate embraced within said grand boulevard and transverse roads, as laid out and established by the said commissioner of street improvements, and in any property, right, term, easement or privilege in the same shall vest in and be the property of the mayor, aldermen and commonalty of the city of New York, in trust nevertheless that the same be appropriated for the purposes and uses aforesaid and in this act provided."

Strike out all of section 6 and insert the following:

"§ 6. All damages awarded by the said commissioner of estimate and assessment and confirmed by the court, with interest thereon from the date when the title to the lands and premises for which the said awards have been made, shall have vested in the mayor, aldermen and commonalty of the city of New York as provided by this act, and all expenses and costs that may be taxed shall upon the confirmation of the said report become due and payable by the mayor, aldermen and commonalty of the city of New York to the respective persons and parties politic or corporate mentioned or referred to in said report or in whose favor such awards, costs or expenses shall be taxed, and shall be paid accordingly. The expense of the acquisition of any land, property, rights, terms, easements and privileges, not the property of the mayor, aldermen and commonalty of the city of New York, which it may be necessary to take for the purposes hereof, together with the interest thereon as herein provided, together with the necessary costs and expenses of the proceedings thereunder relating except as otherwise provided in this act shall be

paid out of the fund known as the fund for street and park openings in said city, provided for by existing laws.

"The person or persons to whom such awards shall be made in such proceedings and the person or persons in whose favor costs and expenses may be taxed, in case of the failure of the comptroller of said city to pay the same within thirty days after a demand therefor, may apply to the court by which said report was confirmed, and the said court, upon such application, shall require and direct the comptroller to pay said awards, costs and expenses from the fund hereinbefore provided for and applicable to the payment thereof and enforce said order or mandate in the same manner as other orders and mandates of said court are enforced. Provided, however, that whenever the amount of damages or expenses to be paid shall exceed the balance remaining in said fund after deducting all outstanding claims against the same, the comptroller shall, and he is hereby authorized to raise, by the issue of bonds for and on account of said fund, such amounts as shall be necessary to pay such damages, costs and expenses. And the said court may, upon the application of any person or persons in whose favor or to whom awards shall have been made in such proceeding, require and direct the comptroller to raise the money necessary to enable him to pay the same, and from such fund to pay the same."

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Pound, Rec. No. 319, entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,'" reported in favor of the passage of the same with the following amendments:

Amend section 12 so as to read as follows:

"§ 269. The town meetings and general elections of the inhabitants of the town of Lockport may be held at such places in the city of Lockport as the supervisor of said town and the mayor of said city may appoint with the same force and effect as if held in said town, and it shall be lawful for the town clerk of said town to hold his office in and reside within said city and to appoint a deputy town clerk, who may be a resident of said city. The business to be done at such office may be done in said city."

Add the following new section:

"§ 13. This act shall take effect immediately.

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill placed on the order of second reading.

Mr. O'Grady moved that the time in which the committee on public education may report be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gerst gave notice that at some future day he would move to suspend rules 3, 13, 15, 26, 28, 32, 35, 52 and 60 of the Assembly, for the purpose of moving to discharge the committee on electricity, gas and water supply from the further consideration of Assembly bill No. 875, entitled "An act to regulate telephone charges in the State of New York, and to empower certain State officers to revise and regulate the same" (Int. No. 802).

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Denniston, Int. No. 1177, entitled "An act to amend chapter 361 of the Laws of 1881, entitled 'An act to amend chapter 542 of the Laws of 1880, entitled An act to provide for raising taxes for the use of the State upon certain corporations, joint stock companies and associations,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck moved that the time in which the committee on general laws may report be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Cantor, Rec. No. 337, entitled "An act in relation to immatured debts owing by insolvent debtors," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Taylor moved that the time in which the committee on public health may report, be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Taylor, from the committee on public health, to which was referred the bill introduced by Mr. Stadtfeld, Int. No. 999, entitled "An act to provide for the better protection of the public health in relation to the manufacture and sale of cigarettes," reported in favor of the passage of the same, with the following amendments:

Page 3, line 16, strike out the figure 7, and insert the figure 8.

Same page, same line, strike out the word "immediately" and insert the words "January 1, 1895."

JAMES TAYLOR,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Taylor, from the committee on public health, to which was referred the Senate bill introduced by Mr. Smelzer, Rec. No. 291, entitled "An act to amend section 22, article 2, chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Parkhurst, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 312, entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 the general laws,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Kern, said bill was substituted for Assembly bill No. 943, Int. No. 862, same title and subject, now on the order of second reading.

Mr. Hobbie, from the committee on insurance, to which was referred the bill introduced by Mr. Cutler, Int. No. 448, entitled "An act to amend section 532 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 431 of the Laws of 1887, and chapter 444 of the Laws of 1893," reported in favor of the passage of the same, with the following amendment:

Page 3, section 532, line 9, after the word "thereby" insert the words "during said last named period of ten years, said corporation 'the trustees of the Exempt Firemen's Benevolent Fund of the city of New York,' shall pay to the treasurer of the Fire Patrol of said city ten per cent of the total amount of said tax collected by it, and to the treasurer of the trustees of the pension fund of the said fire department of said city, twenty per cent of the total amount of said tax collected by it.

WILLIAM R. HOBBIE,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hobbie moved that the time in which the committee on insurance may report be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wieman moved that the time in which the committee on commerce and navigation may report be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Whittet introduced a bill entitled "An act to amend section 2645 of the Code of Civil Procedure, in reference to the qualification of executors and administrators" (Int. No. 1472), which was read the first time and referred to the committee on codes.

Mr. J. F. Terry moved that the time in which the committee on internal affairs may report be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Stone moved that the time in which the committee on claims may report be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burtis moved that the time in which the committee on charitable and religious societies may report be extended one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read in the words following:

IN SENATE, *April 13, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly the Governor returned the Senate bill (No. 889) entitled "An act to authorize certain corporations to construct additional bridges across rivers forming a part of the boundary of this State." (Int. No. 294.)

The vote on the final passage of said bill having been reconsidered,

On motion of Mr. Pound, and by unanimous consent, said bill was amended as follows:

Change section 5 to section 2, and in place of sections 1, 2, 3 and 4 insert the following :

“§ 1. If a domestic corporation has heretofore, in pursuance of express authority of a statute of this State, constructed and is now operating a bridge over a river which for its entire length forms a part of the boundary of this State, and if there be in such river a waterfall more than 100 feet in height, and if the land of such corporation adjoin a State reservation, such corporation is hereby authorized to establish, construct and maintain another bridge over such river, below such waterfall, at or near such present bridge and not more than 500 feet northerly therefrom, and the necessary approaches for the passage of pedestrians and vehicles ; and such corporation may lay tracks upon such new bridge and its approaches for the passage of electric, cable or horse cars, and may operate street cars upon the same by electric, cable or horse power, or any other than locomotive steam power for the conveyance of passengers and property for compensation.

Such corporation shall have the power to lease the said bridge and its appurtenances or to enter into any contract or agreement with any person or corporation with reference to operating and using the same. Such corporation may acquire real property for such purposes by purchase or by condemnation, but this act shall not confer upon such corporation any power to infringe upon such State reservation. Such corporation shall not charge greater toll for the passage of pedestrians or passengers in cars or vehicles over such new bridge than it is authorized by law to charge for passage thereof over such existing bridge. Such corporation, may, from time to time, increase the amount of its capital stock in the manner provided by the stock corporation law, notwithstanding the provisions of any general or special law heretofore passed limiting the amount thereof, but the amount of the capital stock shall not be increased beyond the total amount of \$350,000.”

Amend the title so as to read as follows :

“An act to authorize certain corporations to construct additional bridges across rivers forming a part of the boundary of this State.”

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence

By order.

JOHN S. KENYON,

Clerk.

Mr. Ainsworth moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members

elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 100 {
} NOES 00 {

Those voting in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Smith, S.W.
Babcock	Dinkelspiel	Howe	Parkhurst	Snyder
Baker	Douglas	Keck	Plant	Southworth
Berry	Dowling	Keleher	Porter	Stein
Braun	Eldredge	Kelsey	Prescott	Stewart
Brownell	Fairbrother	Kerr	Rider, J.J.	Stone
Burtis	Fish	Kern	Robbins	Sulzer
Bush	Foley	Kneeland	Robertson	Terry, C.W.
Butts	Friday	La Petra	Robinson	Terry, J.F.
Callahan	Fuller	Lasch	Robson	Thompson
Carroll	Gardiner	Lawson	Roche	Tilton
Cassin	Gerst	Lee	Ryder, E.L.	Trainor
Chambers	Gleason	Lounsbury	Scanlon	Tuttle
Chapman	Glenn	Loonan	Schillinger	Vacheron
Clark, F.E.	Gould	Marrin	Schoepflin	Vehslage
Conklin	Gray	McDermott	Schulz, F.F.	Wells
Corrigan	Herrman	Melody	Schulz, H	Whittet
Cutler	Hobbie	Messiter	Sheffield	Wieman
Davidson	Hoeffer	Mittnacht	Sherwood	Wilcox
Dean	Hotaling	Myers	Smith, M.F.	Wyckoff

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor, and three-fifths being present.

} AYES 100 {
} NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Myers	Snyder
Babcock	Denniston	Houghton	O'Donnell	Southworth
Baker	Dinkelspiel	Howe	O'Grady	Stein
Berry	Douglas	Keck	Parkhurst	Stevens
Braun	Dowling	Keleher	Plant	Sulzer
Brennan	Eldredge	Kelsey	Porter	Taylor
Brownell	Fairbrother	Kerr	Prescott	Terry, C.W.
Burtis	Finnigan	Kern	Rider, J.J.	Terry, J.F.
Butts	Fish	Kneeland	Robbins	Thompson
Cain	Foley	La Petra	Robertson	Tilton
Callahan	Fuller	Lasch	Robson	Trainor

Carroll	Gardiner	Lawson	Roche	Tuttle
Cassin	Gerst	Lee	Ryder, E.L.	Vacheron
Chambers	Gleason	Lounsbury	Schoepflin	Van Amber
Clark, F.E.	Glenn	Marrin	Schulz, F.F.	Vehslage
Conklin	Gould	McDermott	Schulz, H	Wells
Corrigan	Gray	McNamee	Sheffield	Whittet
Coughlin	Herrman	Melody	Sherwood	Wieman
Cutler	Hobbie	Messiter	Smith, M.F.	Wilcox
Davidson	Hoefer	Mitnacht	Smith, S.W.	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 509, entitled "An act to repeal section 186 of article 8 of the game law" (Int. No. 139), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill, No. 312, entitled "An act to amend chapter 689 of the Laws of 1890, entitled 'An act in relation to banking corporations'" (Int. No. 51), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Ainsworth introduced a bill entitled "An act to amend chapter 254 of the Laws of 189", entitled "An act to authorize a public cemetery in the town of Williamstown, Oswego county" (Int. No. 1473), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second time, placed on the order of third reading and referred to the committee on revision.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows :

“An act to amend the general corporation law.” (Int. No. 939.)

“An act to establish a pension fund for the paid fire department of the city of Rochester.” (Int. No. 1282.)

“An act to amend chapter 410³ of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ relating to the construction of buildings.” (Int. No. 1224.)

“An act to authorize the commissioners of the land office to grant all the interest of this State in certain lands formerly under the waters of the Hudson river adjoining the village of Catskill, in the county of Greene, but which have been filled in.” (Int. No. 1123.)

“An act to amend the election law, relating to meetings of inspectors for registry.” (Int. No. 823.)

“An act to amend the business corporation law.” (Int. No. 941.)

“An act to amend chapter 297 of the Laws of 1885, entitled ‘An act for the preservation of the public health and the registration of vital statistics in the city of Albany.’” (Int. No. 1117.)

“An act to release from assessments heretofore levied on certain real estate of Saint John’s Methodist Episcopal church in the city of New York.” (Int. No. 1300.)

“An act providing for the submission of the question of consolidation of the city of Mount Vernon with certain territory under a single municipal administration to a vote of the people.” (Int. No. 837.)

“An act to amend chapter 312 of the Laws of 1884, entitled ‘An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York,’ relating to removals.” (Int. No. 912.)

“An act to amend chapter 496 of the Laws of 1870, entitled ‘An act to organize and establish a police for the village of West Troy,’ relating to appointment of commissions of police.” (Int. No. 953.)

"An act in relation to labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise." (Int. No. 368.)

"An act to amend chapter 637 of the Laws of 1892, entitled 'An act to provide for the establishment of a reformatory for women,' and making an appropriation therefor." (Int. No. 934.)

"An act to amend the county law, relating to the compensation of supervisors of Richmond county." (Int. No. 966.)

"An act creating town boards for the purpose of adjusting assessments on real estate arising from unjust assessments." (Int. No. 1196.)

"An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York,' relating to appointment of deputies and compensation." (Int. No. 360.)

"An act to authorize the sale of certain lands and premises situated in the city of New York which were devised by James Ewing Cooley to his executors in trust." (Int. No. 1188.)

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1616) entitled "An act to amend the Code of Civil Procedure, relating to attachments" (Int. No. 1430), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after "§ 636" insert the words "What must be shown to procure the warrant."

Page 2, line 17, after "§ 637" insert the words "Warrant in action against public officers, etc., for speculation."

Same page, line 18, strike out the words "of the."

Same page, line 23, after the word "public" insert the word "or."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1443), entitled "An act to provide for a hearing of the claims of William Lockman and Carey Devery, for work and services performed for the State under the direction of the quarantine officials" (Int. No. 1265), reported the same with the recommendation that it be amended as follows:

Page 1, line 6, change the word "therefore" to "therefor."

Amend the title by adding the words "and to make an award therefor."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1300) entitled "An act to amend the Revised Statutes, relating to temporary relief of the poor" (Int. No. 1141), reported the same, with the recommendation that the title be amended by striking out the comma and inserting a period after the word "poor."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered placed on the order of second reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1315) entitled "An act to prohibit the killing, wounding, catching and pursuit of wild animals, wild birds and fish, and attempts thereat in the State of New York, by persons not citizens of the United States, without a license therefor" (Int. No. 1159), reported the same with the recommendation that it be amended as follows:

Page 2, line 9, strike out the semicolon after the word "collected" and insert a comma.

Same page, line 11, strike out the semicolon after the word "governed" and insert a comma.

Same page, line 13, after the word "offenses" strike out the semicolon and insert a comma.

Same page, line 16, strike out the words "Said State approved May 5th."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1450) entitled "An act to amend chapter 104 of the Laws of 1872, entitled 'An act in relation to trustees and directors of charitable and benevolent institutions'" (Int. No. 1273), reported the same with the recommendation that it be amended as follows:

Page 1, line 9, after the word "allowed" insert the words "by the trustees or directors of any institutions organized."

Amend the title by inserting a period at the end of the line.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1258) entitled "An act to amend subdivision 28 of section 222 of chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws'" (Int. No. 1126), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "ninety-two" insert the words "entitled 'An act in relation to counties, constituting chapter 18 of the general laws.'"

Same page, line 6, strike out the word "immediately" and insert the words "January 1, 1895."

Amend the title so as to read as follows:

"An act to amend the county law, relating to salary of the county judge of Montgomery county."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1060) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determined the claims of Milton B. Jarvis against the State of New York, and to make an award therefor" (Int. No. 949), reported the same with the recommendation that it be amended as follows:

Make section 3 section 2.

Amend the title by changing the word "determined" to "determine."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1588) entitled "An act reappropriating an unexpended balance for the State industrial school at Rochester"

(Int. No. 1372), reported the same with the recommendation that it be amended as follows:

Page 1, line 5, change the word "otherwise" to "otherwise."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1385) entitled "An act to amend section 1690 of the Code of Civil Procedure, relating to the recovery of chattels" (Int. No. 1227), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "procedure" insert the words "subdivision 3."

Same page, strike out lines 3 to 9 inclusive.

Page 2, strike out lines 1, 2, 3 and 4.

Same page, line 10, strike out the word "immediately" and insert the words "September 1, 1894."

Amend the title by striking out the words "section sixteen hundred and ninety of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1487) entitled "An act to amend section 52 of chapter 410 of the Laws of 1882" (Int. No. 1286), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "eighty-two" insert the words "entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York.'"

Amend the title so as to read as follows:

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1584) entitled "An act to amend section

635 of the Code of Civil Procedure, relating to the granting of attachments in certain actions" (Int. No. 1346), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after "§ 635" insert the words "In what actions."

Same page, line 8, strike out the letter "s" in the word "contracts."

Page 2, line 4, strike out the word "immediately" and insert the words "September 1, 1894."

Amend the title by striking out the words "section 635 of" in the first line.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1272), entitled "An act to amend chapter 602 of the Laws of 1892, entitled 'An act to secure the registration of plumbers and supervision of plumbing and drainage in the cities of the State of New York'" (Int. No. 569), reported the same with the recommendation that it be amended as follows:

Page 3, line 15, after the word "hold" insert the word "the."

Same page, line 26, after the word "therefor" insert a period and commence the word "the" with a capital "T."

Page 4, line 2, strike out the word "such" and insert the word "each."

Same page, line 3, in the word "days'" put the apostrophe before the letter "s."

Same page, line 24, change the word "duties" to "duty."

Page 5, insert a comma after the word "trade."

Page 6, line 15, change the word "badge" to "badges."

Page 9, line 16, commence the word "during" with a capital "D" and insert the word "and" after the word "appointment."

Page 11, line 23, change the word "persons" to "person."

Page 12, strike out the semicolon after the word "required" and commence the word "said" with a small "s."

Page 14, line 30, change the word "hereof" to "thereof" and insert a period after the word "thereof" and begin the word "it" with a capital "I."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1205) entitled "An act to secure a more

equitable and complete assessment of all taxable property of the State" (Int. No. 388), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, change the word "appointees" to the word "appointed."

Page 2, line 4, change the word "appointees" to the word "appointed."

Same page, line 5, change the word "newly" to the word "new."

Page 4, line 19, after the word "just" insert a comma.

Same page, line 21, after the word "on" strike out the comma.

Same page, line 22, after the word "year" insert a period and begin the next word "is" with a capital letter "I."

Page 5, line 6, after the word "each" insert a colon.

Same page, line 7, change the word "librarys" to the word "libraries."

Same page, line 15, change the word "effect" to the word "affect."

Same page, line 20, after the word "taxation" insert a comma and begin the next word "The" with a small letter "t."

Same page, line 24, after the word "property" insert a comma.

Page 6, line 3, after the word "board" strike out the semicolon.

Same page, line 12, change the word "any" to the word "my."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1485), entitled "An act to provide for the care and support by the State of pauper Indians" (Int. No. 1284), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the word "this."

Page 4, line 8, strike out the letter "N" from the word "expedient."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1551) entitled "An act to amend chapter 231 of the Laws of 1876, relating to the office of supervisor in

Erie county" (Int. No. 1353), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "seventy-six" insert the words "entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of the officers of said board.'"

Page 2, line 21, strike out the words "such chapter" and insert the words "said act."

Amend the title so as to read as follows:

"An act to amend chapter 231 of the Laws of 1876, entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of the officers of said board.'"

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1344) entitled "An act to amend chapter 361 of the Laws of 1884, entitled 'An act to establish a State board of pharmacy and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie'" (Int. No. 1189), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike off the letter "s" from the word "sections;" also, strike out the words "and four" and "said act" and insert the words "chapter 361 of the Laws of 1884, entitled 'An act to establish a State board of pharmacy and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie,' as amended by section 360 of the Laws of 1885."

Page 2, between lines 6 and 7, insert the words: "Section 4 of said act, as amended by chapter 250 of the Laws of 1893, is hereby amended so as to read as follows:"

Same page, line 22, insert a comma after the word "license."

Amend the title by inserting a comma after the words "New York" in last line.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 201) entitled "An act to prevent the drawing of seines, and to protect spawning beds in Croton bay, south

of Croton Point" (Int. No. 200), reported the same with the recommendation that it be amended as follows :

Page 1, line 3, commence the word "point" with a capital "P."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1180) entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (Int. No. 1048), reported the same with the recommendation that it be amended as follows :

Page 1, line 4, after the word "corporations" insert the words "as amended by chapter 440 of the Laws of 1893."

Page 2, line 1, strike out the word "propety" and insert the "property."

Amend the title so as to read as follows :

"An act to amend the banking law, relating to securities in which deposits may be invested."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1391) entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 198 of the Laws of 1892" (Int. No. 1238), reported the same with the recommendation that it be amended as follows :

Page 2, line 18, strike out the word "or" and insert the word "of."

Page 3, line 4, strike out the word "commissioner" and insert the word "commission."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1562) entitled "An act to amend section 12 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Int. No. 1367), reported the same with the recommendation that it be amended as follows :

Page 2, lines 12 and 13, strike out the words "three dollars per day for every day actually and necessarily employed in such appraisal."

Amend the title by striking out in the first line the words "section 12 of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1369) entitled "An act to provide for the completion of the armory for the Twenty-third Regiment, in the city of Brooklyn" (Int. No. 1369), reported the same with the recommendation that the title be amended to read as follows:

"An act to provide for the completion of the armory for the Twenty-third Regiment, in the city of Brooklyn, and making an appropriation therefor."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1309) entitled "An act to provide for the protection of the Cayuga and Seneca canal by repairing the berme bank and breakwater at the foot of Seneca lake, in the counties of Seneca and Ontario, between the outlet and the canal bridge at Geneva, and making an appropriation therefor" (Int. No. 1152), reported the same with the recommendation that it be amended as follows:

Page 2, line 4, strike out the figure "3" and insert "4."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1504) entitled "An act to amend chapter 51 of the Laws of 1870, entitled 'An act to amend the act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848" (Int. No. 1303), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, strike out the word "purposes."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1510), entitled "An act to amend section 4 of title 3 of chapter 200 of the Laws of 1873, entitled 'An act to amend the charter of the village of Addison, in the county of Steuben, incorporated under chapter 426 of the Laws of 1847,' as amended by chapter 511 of the Laws of 1884" (Int. No. 1309), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "seventy-three" insert the words "entitled 'An act to amend the charter of the village of Addison in the county of Steuben.'"

Page 2, line 9, insert a semicolon after the word "assessment-roll."

Page 3, line 11, strike out the word "each" and insert the word "such."

Amend the title by striking out in line 1 the words "section 4 of title 3 of;" also, by striking out in lines 5 and 6 the words "incorporated under chapter 426 of the Laws of 1847."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1524) entitled "An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof" (Int. No. 1325), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "sixty" insert the words "entitled 'An act to revise the charter of the city of Oswego.'"

Page 3, line 3, strike the letter "s" from the word "assessments."

Same page, line 6, strike the letter "s" from the word "assessments."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1474) entitled "An act requiring all savings

banks and savings institutions organized and doing business under the laws of the State of New York to notify annually each depositor thereof by mail of all balances standing to the credit of such depositor" (Int. No. 1216), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the words "section 1" insert the words "Chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations,' is hereby amended by adding thereto a new section in article 3, relating to savings banks, to read as follows:" Also, before the word "all" insert the words "§ 136. Reports to depositors."

Same page, line 2, strike out the word "the" and insert the word "this;" also, strike out the words "of New York."

Same page, line 5, strike out the word "said" and insert the word "the;" also, strike out the words "of New York."

Page 2, line 4, after the word "depositor" insert the words "Any violation of this section shall be deemed a misdemeanor, punishable by a fine of \$100 for each and every offense, to be sued for as other fines are sued for, and when collected shall be paid into the treasury of the State to the credit of the fund for the support of the banking department."

Amend the title so as to read as follows:

"An act to amend the banking law, relating to reports to depositors."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1565) entitled "An act to provide for the grading and other improvement of certain park lands in the city of Brooklyn, and to provide the means therefor" (Int. No. 1371), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after the word "Brooklyn" strike out the comma.

Same page, line 5, capitalize the word "plaza."

Page 2, line 7, add the letter "d" to the word "require."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was

referred the bill (No. 1304) entitled "An act authorizing the construction of wheelways along highways" (Int. No. 1145), reported the same with the recommendation that it be amended as follows :

Page 2, line 18, strike out the word "manamotive" and insert the word "manumotive;" and strike out the letter "a" after the letter "d" and insert the letter "o" in the word "pedamotive."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1556) entitled "An act for the relief of certain churches in the Twenty-third ward of the city of New York" (Int. No. 1358), reported the same with the recommendation that it be amended as follows :

Page 1, line 2, capitalize the words "immaculate conception."

Same page, line 3, capitalize the words "holy faith."

Same page, line 4, strike out the word "are" and insert the word "is."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1511) entitled "An act to authorize the Buffalo library to take and hold property for special purposes" (Int. No. 1310), reported the same with the recommendation that it be amended as follows :

Page 2, line 3, strike out the word "prinsipal" and insert the word "principal."

Same page, line 18, after the word "fund" insert a comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1558) entitled "An act to amend chapter 487 of the Laws of 1889, entitled 'An act to amend chapter 314 of the Laws of 1858, entitled An act to declare and extend the powers of executors, assignees, receivers and other trustees, and

to protect the rights of creditors and others against frauds, and for other purposes'' (Int. No. 1361), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "the act" and insert the words "chapter 314 of the Laws of 1858."

Same page, line 4, strike out the words "passed April 17, 18," and insert the words "as amended by chapter 487 of the Laws of 1889."

Same page, line 5, strike out the words "hundred and fifty-eight."

Amend the title by striking out after the word "amend" all of lines 1 and 2 down to and including the word "amend" in line 3; also, line 4, strike out the word "one" after the word "of."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1585) entitled "An act to amend section 1759 of the Code of Civil Procedure" (Int. No. 767), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after "§ 1759" insert the words "Regulations when action brought by wife.—"

Page 2, line 10, strike out the word "if."

Same page, line 12, insert a comma after the word "interstate."

Amend the title so as to read as follows:

"An act to amend the Code of Civil Procedure, relating to regulations when action brought by wife."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1448) entitled "An act to amend section 53 of article 2 of chapter 19 of the general highway laws of 1892" (Int. No. 1270), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after "Section 1" strike out the word "That" and capitalize the next word "Section;" also strike out the words "article 2 of," and after the word "chapter" insert the words "568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws, as amended by chapter 412 of the Laws of 1893.'"

Same page, line 4, after "§ 53" insert the words "annual tax thereunder."

Same page, line 6, add the letter "s" to the word "highway."

Page 2, line 5, after the word "other" insert the word "town."

Amend the title so as to read as follows :

"An act to amend the highway law, relating to the money system on repairs of highways."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1505) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city'" (Int. No. 1304), reported the same with the recommendation that it be amended as follows :

Page 1, line 3, after the word "five" insert the words "entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city.'"

Same page, line 7, strike out the word "seventy-five."

Page 2, line 1, strike out the word "chapter" and insert the word "act."

Same page, line 6, strike out the word "forty-five."

Same page, line 9, strike out the word "twenty."

Same page, line 15, strike out the word "twenty-five."

Same page, strike out the lines 24, 25 and 26.

Page 3, strike out from line 1 to line 16, inclusive.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1540), entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (Int. No. 589), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, strike out the word "said."

Same page, line 2, insert the word "and" after the word "dred" and also after the word "hundred."

Page 2, line 15, insert the word "and" after the word "dred."
 Same page, line 19, insert the word "and" after the word "hundred."

Page 3, line 4, insert the words "of said act" after the word "one" and omit the word "said."

Same page, line 15, strike out semicolon.

Page 5, line 3, change the word "invilving" to "involving."

Same page, line 15, change the word "therof" to "thereof."

Same page, line 22, insert a comma after the word "ordinance."

Page 8, line 25, change the word "repairs" to "repair."

Page 11, line 13, strike out the word "and" and insert a comma and the words "sixteen, seventeen, eighteen, nineteen and twenty" after the word "fifteen."

Page 18, line 7, strike out the period.

Page 19, line 5, insert a comma after the word "drains;" also, after the word "cistern."

Same page, line 7, change the word "hereinafer" to "hereinafter."

Same page, line 20, strike out the word "of" before the word "said."

Page 21, line 2, change the word "advertising" to "auditing."

Same page, line 9, insert a comma after the words "same" and "therefor."

Same page, line 12, insert a semicolon after the word "manner."

Same page, line 14, insert the word "as" after the word "had."

Same page, line 24, change the word "publish" to "published."

Page 22, line 9, change the word "ammed" to "amend."

Page 23, line 10, change the word "provision" to "provisions."

Same page, same line, change the word "end" to "and."

Page 24, line 15, change the word "principle" to "principal."

Page 26, line 5, change the word "section" to "sections."

Same page, line 17, strike out the comma after the word "procedure."

Same page, line 18, strike out the comma after the word "be."

Same page, line 21, omit capitals from the words "Code" and "Civil."

Page 28, line 23, change the word "include" to "included."

Page 29, line 1, insert a comma after the word "made."

Same page, line 10, insert a comma after the word "state."

Page 30, line 3, change the word "certificate" to "certificates."

Page 31, line 21, strike out the word "of" and insert the word "for."

Same page, line 24, change the word "conditions" to "condition."

Page 32, line 7, strike out the word "or" after the word "as."

Same page, line 14, strike out section 17 and insert the following:

"§ 17. All acts and parts of acts inconsistent with this act are hereby repealed."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1168) entitled "An act to repeal chapter 353 of the Laws of 1893, entitled 'An act for the preservation of the public peace, the protection of private property, maintenance of law and order, the licensing of public hacks, vehicles, venders, shows, concerts and public amusements in the town of Flatlands, in the county of Kings'" (Int. No. 1035), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after "Section 1" strike out the word "the" and insert the words "chapter 353 of the Laws of 1893, entitled 'An.'"

Same page, line 3, change the word "vender" to the word "vendor."

Same page, after the word "Kings" strike out all of lines 5 and 6 down to and including the word "thereof" in line 7.

Page 2, line 6, add the letter "s" to the word "provision."

Amend the title by changing the word "venders" to the word "vendors."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1532) entitled "An act to amend chapter 248 of the Laws of 1875, entitled 'An act in relation to the coroners' office and post-mortem examiners'" (Int. No. 1199), reported the same with the recommendation that it be amended as follows:

Page 1, before line 1, insert the following:

"Section 1. The several sections of chapter 248 of the Laws of 1875, entitled 'An act in relation to coroners' fees and post-mortem examinations in Erie county, are hereby amended to read as follows:"

Same page, line 5, strike out the word "and."

Same page, line 6, strike out comma after the word "Buffalo."

Same page, line 7, change the word "the" to "his."

Same page, line 8, strike out the word "and," and change the

word "exceeding" to "exceed;" also, after the word "annum" insert the words "which such coroners residing in said city shall;" also, before the words "of any" insert the words "the compensation."

Same page, line 9, strike out comma after the word "Buffalo."

Page 2, line 5, after the word "coroners" insert the words "resident of the city of Buffalo," and after the word "shall" strike out the words "also have power to."

Same page, line 6, strike out the words "at their next annual meeting."

Page 3, line 1, change the word "to" to "shall."

Same page, line 2, strike out the words "and to" and change the word "commence" to "commencing."

Same page, line 4, after the word "and" insert the word "had."

Same page, line 5, after the word "of" insert the words "each of."

Same page, line 18, after the word "contain" insert the word "the."

Amend the title so as to read as follows:

"An act to amend chapter 248 of the Laws of 1875, entitled 'An act in relation to coroners' fees and post-mortem examinations in Erie county.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1503), entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of school-houses and the payment of debts contracted for the purchase of land for school purposes" (Int. No. 1302), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, insert a comma after the word "mayor."

Same page, line 4, strike out the comma after the word "none."

Same page, line 7, insert a comma after the word "dollars."

Page 2, insert a semicolon after the word "other."

Page 4, lines 6 and 7, strike out the words "New York."

Same page, line 17, begin the words "savings banks" with capital letters.

Same page, line 26, strike out the comma after the word "hundred."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1546) entitled "An act authorizing the improvement and repairs of the Rocky Rift feeder and dam in the Mohawk river, and making an appropriation therefor" (Int. No. 1359), reported the same with the recommendation that it be amended as follows:

Page 2, line 3, change the word "he" to the word "the."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1507) entitled "An act to amend chapter 418 of the Laws of 1879, entitled 'An act to amend chapter 501 of the Laws of 1873, entitled An act to amend an act entitled An act requiring mortgages of personal property to be filed in the town clerk's and other offices,' passed April 20, 1833" (Int. No. 1306), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "four hundred and eighteen" and insert the words "279 of the Laws of 1833."

Same page, strike out all of lines 2, 3 and 4.

Same page, line 6, strike out the words "passed April 20."

Page 2, line 1, strike out the words "ninth, eighteen hundred and thirty-three" and insert the words "as amended by chapter 418 of the Laws of 1879."

Amend the title so as to read as follows:

"An act to amend chapter 279 of the Laws of 1833, entitled 'An act requiring mortgages of personal property to be filed in the town clerk's and other offices, relating to validity of mortgage against creditors.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. Terry, from the committee on revision, to which was referred the bill (No. 1057) entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claims against the State of New York, of James Brennan and other employes of the State, upon public works, for unpaid

balances due for services rendered, under chapter 380, Laws of 1889, from June 6, 1889, to April 29, 1890" (Int. No. 946), reported the same with the recommendation that the title be amended by striking off the last "d" from the word "determined" in second line; also, in last line, after the last word "ninety," insert a semicolon; also, insert the words "to make an award therefor."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1167) entitled "An act for the relief of Sophia G. Vandervoort, widow of Charles Vandervoort, deceased, her successors or assigns" (Int. No. 1034), reported the same with the recommendation that it be amended as follows:

Page 3, line 9, strike out the words "the foregoing" and insert the word "this."

Amend the title by striking out the word "or" in third line.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1590), entitled "An act to amend section 22 of chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburgh, as amended by chapter 70 of the Laws of 1881'" (Int. No. 1340), reported the same with the recommendation that it be amended as follows:

Page 1, line 5, after the word "eighty" insert the word "one."

Amend the title by striking out in the first line the words "section 22 of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1547) entitled "An act in relation to Pierrepont street and Remsen street in the city of Brooklyn" (Int. No. 1348), reported the same with the recommendation that it be amended as follows:

Page 1, line 7, after the word "street" insert the words "or said Kent street;" also, strike out the word "or."

Amend the title so as to read as follows:

"An act in relation to Pierrepont street, Remsen street and Kent street in the city of Brooklyn."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to amend chapter 391 of the Laws of 1893, entitled 'An act for the protection of purchasers of coal in cities of over 800,000 inhabitants and under 1,200,000 inhabitants, and providing for the enforcement thereof.'" (No. 519, Int. No. 753.)

"An act relative to persons holding the office of justice of the peace." (No. 1691, Int. No. 1261.)

"An act to extend the drill-hall and rifle-range, and make certain additions to the State armory in the village of Mohawk, county of Herkimer, and making an appropriation therefor." (No. 1690, Int. No. 261.)

"An act to amend section 65 of title 2, chapter 3, part 4 of the Revised Statutes, relating to State prisons, with respect to assistant clerk to take affidavits." (No. 1633, Int. No. 1394.)

"An act to authorize the town of Newtown, in Queens county, to convey certain real estate, being a part of its common lands." (No. 1509, Int. No. 1308.)

"An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York.'" (No. 1458, Int. No. 1254.)

"An act to enable the city of Niagara Falls to acquire such lands as may be necessary to extend Pierce avenue in said city, from Whirlpool avenue easterly to Sugar street." (No. 441, Int. No. 418.)

"An act in relation to New York avenue, in the city of Brooklyn." (No. 1493, Int. No. 1292.)

"An act to authorize the making of compensation for damages to property occasioned by the change of grade of streets adjacent thereto, in the Eighth ward in the city of Brooklyn." (No. 1519, Int. No. 1320.)

"An act to regulate the employment of prison labor in the manufacture of brooms and brushes made of broom-corn." (No. 795, Int. No. 746.) •

"An act to ratify and confirm the constitution of the Seneca Nation of Indians, adopted on the 13th day of January, 1893." (No. 1430, Int. No. 125.)

"An act empowering the supervisor and commissioner of highways of the town of Plattsburgh to purchase a stone crusher and power, and to provide for the working of highway assessments in connection therewith." (No. 1525, Int. No. 1326.)

"An act to provide the village of Lansingburgh with a police station-house, and to issue bonds therefor." (No. 1564, Int. No. 1370.)

"An act making an appropriation for the payment of expenses of a convention to revise and amend the Constitution of the State." (No. 1523, Int. No. 1324.)

"An act making an appropriation for repairing the culvert under the Oswego canal at Mud creek, in the First ward of Syracuse, and for deepening the bed and walling the banks of the creek from the culvert to Onondaga lake." (No. 878, Int. No. 807.)

"An act to provide for the assessment and collection of the expense of removal of snow and ice from the sidewalks of public streets and avenues in the city of New York." (No. 1389, Int. No. 1233.)

"An act to incorporate the Children's Aid Society of Rochester." (No. 1592, Int. No. 1387.)

Ordered, That said bills be engrossed for a third reading.

Mr. Sulzer announced the receipt of a telegram informing him of the death of Hon. David Dudley Field.

Whereupon Mr. Sulzer offered for the consideration of the House, a resolution in the words following :

Resolved, That the Assembly of the State of New York has learned with deep regret of the death of the Hon. David Dudley Field, and that as a mark of respect to his memory the Assembly do now adjourn, and that the Speaker of the House appoint a committee of nine to take appropriate action in regard to his funeral, and to prepare memorial resolutions.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs Fish, Sulzer, Bush, Howe, Friday, Kneeland, Foley, Thornton and Dowling.

The House then adjourned.

MONDAY, APRIL 16, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Wallace H. Butrick.

Mr. Ainsworth moved that the journal of Friday, April 15th, be approved as read.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES ^{YEAS} 67 }
{ NOES 46 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Kneeland	Schoepflin	Terry, J.F.
Babcock	Gardiner	Lawson	Schulz, F.F.	Thompson
Baker	Gerst	Lounsbury	Schulz, H	Thornton
Braun	Gould	Matthews	Seibert	Tilton
Brownell	Gray	Messiter	Sheffield	Tuttle
Chambers	Higbie	O'Grady	Sherwood	Vacheron
Clark, F.E.	Hobbie	Parkhurst	Smith, M.F.	Van Amber
Conklin	Hoefer	Porter	Smith, S.W.	Wells
Dean	Horton	Prescott	Snyder	Whittet
Denniston	Hotaling	Rider, J.J.	Stevens	Wieman
Eldredge	Houghton	Robbins	Stewart	Wilcox
Fairbrother	Howe	Robertson	Stone	Wray
Fish	Keck	Robson	Terry, C W.	Wyckoff
Friday	Kelsey			

Those who voted in the negative, were

Berry	Corrigan	Hennessey	Marrin	Roche
Brennan	Davidson	Herrman	McDermott	Ryder, E.L.
Bush	Dinkelspiel	Hoysradt	McKeon	Southworth
Butts	Douglas	Keenan	Melody	Stadtfeld
Cahill	Dowling	Keleher	Mittnacht	Stein
Cain	Finnigan	Kerr	Myers	Sulzer
Callahan	Foley	Kerrigan	O'Donnell	Tobin
Carroll	Gleason	La Petra	Reilly	Trainor
Cassin	Harrigan	Lasch	Robinson	Vehslage
Chapman				

And the journal stood approved.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate, of Senate bill No. 325, entitled "An act providing for the formation,

management and supervision of co-operative saving and loan associations" (Int. No. 10), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 776) entitled "An act to amend chapter 304 of the Laws of 1892, entitled 'An act to provide for the appointment of a board of water commissioners for the city of Albany'" (Int. No. 725), with a message that they have concurred in the passage of the same with the following amendments :

Section 1, lines 6 and 7, strike out the words "who shall be elected at the next charter election to be held in said city."

Same section, line 8, after the word "be" insert the words "executed and."

Same section, line 9, strike out the word "first" and insert the word "second."

Mr. Ainsworth moved to concur in said Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 68 }
{ NOES 41 }

Those who voted in the affirmative, were

Ainsworth	Fish	Keck	Scanlon	Terry, J.F.
Babcock	Friday	Kelsey	Schoepflin	Thompson
Baker	Fuller	Kneeland	Schulz, F.F.	Thornton
Braun	Gardiner	Lawson	Schulz, H	Tilton
Brownell	Gerst	Lounsbury	Seibert	Tuttle
Burtis	Gould	Matthews	Sheffield	Vacheron
Chambers	Gray	Messiter	Sherwood	Van Amber
Clark, F.E.	Higbie	O'Grady	Smith, M.F.	Wells
Clark, J. H.	Hobbie	Parkhurst	Smith, S.W.	Whittet
Conklin	Hoeffler	Porter	Snyder	Wieman
Dean	Horton	Prescott	Stewart	Wilcox
Denniston	Hotaling	Rider, J.J.	Stone	Wray
Eldredge	Houghton	Robertson	Perry, C.W	Wyckoff
Fairbrother	Howe	Robson		

Those who voted in the negative, were

Berry	Corrigan	Harrigan	Lasch	Roche
Brennan	Davidson	Hennessy	Loonan	Southworth
Bush	Dinkelspiel	Herrman	Marrin	Stadtfeld
Butts	Douglas	Hoysradt	McDermott	Stein
Cahill	Dowling	Keenan	McKeon	Sulzer
Cain	Finnigan	Keleher	Melody	Tobin
Callahan	Foley	Kerr	Myers	Trainor
Carroll	Gleason	Kerrigan	O'Donnell	Vehslage
Chapman				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Speaker announced the calendar of the day.

The special order, being the bill (No. 862) entitled "An act to amend chapter 665 of the Laws of 1893, entitled 'An act to authorize the construction and maintenance of a bridge across the Albany basin'" (Int. No. 324), having been announced for a second and third reading,

Mr. Carroll moved that the same be recommitted to the committee on affairs of cities for a further hearing.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Carroll moved to amend said bill as follows:

(Reference to printed bill.)

Page 2, line 3, strike out the word "sufficient" and insert the word "a."

Same page, same line, after the word "width" insert the words "of not less than forty-five feet."

Same page, same line, after the word "height" insert the words "of not less than fifteen feet above mean low tide."

Same page, line 4, strike out the words "to allow" and insert the words "and the superintendent of public works."

Same page, line 5, strike out the words "the passage of canal boats."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time and placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Hotaling	O'Grady	Stein
Babcock	Dean	Houghton	Parkhurst	Stevens
Baker	Denniston	Howe	Porter	Stewart
Berry	Douglas	Keck	Prescott	Stone
Braun	Dowling	Keleher	Rider, J.J.	Taylor
Brennan	Eldredge	Kelsey	Robbins	Terry, J.F.
Brownell	Fairbrother	Kerr	Robertson	Thompson
Butts	Finnigan	Kerrigan	Robson	Thornton
Bush	Fish	Kneeland	Scanlon	Tilton
Butts	Friday	La Fetra	Schoepflin	Tuttle
Cain	Fuller	Lasch	Schulz, F.F.	Vacheron
Callahan	Gardiner	Lawson	Schulz, H.	Van Amber
Cassin	Glenn	Loonan	Seibert	Vehslage
Chambers	Gould	Marrin	Sheffield	Wells
Clark, F.E.	Gray	Matthews	Sherwood	Whittet
Clark, J. H.	Higbie	Melody	Smith, M.F.	Wieman
Conklin	Hobbie	Messiter	Smith, S.W.	Wilcox
Corrigan	Hoefler	Mittnacht	Snyder	Wray
Coughlin	Horton	Nixon	Stadtfeld	Wyckoff

Those who voted in the negative, were

Carroll Gerst Herrman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill (not printed) entitled "An act in relation to the powers of the Superintendent of the Insurance Department" (Int. No. 348), be recommitted to the committee on insurance.

Mr. Ainsworth moved to amend said resolution by adding at the end thereof the words "retaining its place on the order of third reading."

Pending the consideration of the motion,

A message from the Governor, by the hands of his private secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 16, 1894. }

To the Assembly:

Assembly bill No. 805, entitled "An act to authorize the procuring of new grounds and the erection thereon of buildings for

the use of the College of the City of New York, and to provide the means to pay for the same," is hereby returned without my approval

This bill is the most flagrant violation of the principle of home rule that has passed the Legislature in many years.

Bills have occasionally been passed which restricted the powers of municipalities, which foisted on them officers not of their own choosing, or which improperly interfered with local authorities in the discharge of their official duties; but of all bills directed against local self-government, none embodies so tyrannical an exercise of legislative power; none is so violative of ordinary principles of justice toward municipalities; none is so direct and uncalled for an invasion of home rule as that which arbitrarily inflicts upon a municipality a burden of taxation for local purposes against the will of the municipality, as expressed through the people or through the officers who are endowed by the people with the authority to impose taxation upon them.

That is what this bill does. It is an arbitrary exercise of legislative power to compel the taxing authorities of New York city to add at least \$1,175,000 to the burden of taxation upon the people, irrespective of whether the people or their representative officers, chosen for such purposes, favor it or not. No bill of that mandatory character ought ever to become a law so long as the principle of local self-government is a fundamental feature of our political system.

It does not relieve the iniquity of this mandatory legislation that the purpose sought to be accomplished in aid of a worthy institution is laudable, or that it is supported by many prominent citizens of New York, including many who have been conspicuous in the championship of home rule for other cities. I cannot believe that these persons thoroughly understood the bill's mandatory character. But it would be discourteous to the Legislature to assume that its members did not comprehend the nature of the bill, even were not the contrary assumption proven by the fact of the bill's being recalled at my suggestion to have its provisions made permissive, and its being returned to me again without change. This insistence upon a measure so arbitrary and so unjust in form makes the Legislature's defiance of the home rule theory all the more significant.

In returning the bill without my approval, I do not wish to be considered as opposing any proper effort to extend the influence and work of the College of the City of New York. The institution fills an important place in the educational system of the city, and the people of New York may well feel a just pride in its proper maintenance and development, but I do wish to enter an earnest protest against the dangerous precedent which would be established by the enactment of this bill in its present mandatory form. If the Legislature can with propriety exercise its power to tax the people of New York over a million dollars for

a local purpose against their consent, or that of their taxing authorities, it can with equal propriety arbitrarily tax the people of any other municipality against its will, and we should witness a recurrence of tyrannical abuses of the taxing power similar to those to which we owe our present national independence and our present system of local self-government. Such legislation would not be tolerated for an instant in these days among self-respecting municipalities.

The action of the Legislature in making this bill mandatory is the more subject to criticism in view of the fact that while willing to compel the city of New York to expend over a million dollars for higher education, the Legislature has thus far refused to pass a permissive bill desired by the local authorities of New York authorizing them to expend \$1,500,000 in providing common school accommodations for the thousands of children who are now applying for admission, and for whom there is no seating capacity. To deny the local authorities of New York the power to provide these accommodations, is no less reprehensible than to compel them to spend a million dollars against their judgment of what is best for the city's interests. The first essential thing in public education is abundant common school facilities; after that the question of free higher education may properly be taken up. But the Legislature has reversed this salutary rule, and has made its reversal the more obnoxious by a flagrant violation of home rule in the one case and an unreasonable withholding of it in the other.

ROSWELL P. FLOWER.

On motion of Mr. Sheffield, said bill with the accompanying message was laid upon the table.

The House then resumed the consideration of the motion of Mr. Ainsworth to amend the motion of Mr. Fish.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the negative.

{ AYES 49 }
{ NOES 62 }

Those who voted in the affirmative, were

Ainsworth	Clark, F.E.	Gleason	O'Donnell	Southworth
Babcock	Clark, J. H.	Higbie	Porter	Stone
Baker	Conklin	Hobbie	Prescott	Terry, J.F.
Brennan	Corrigan	Howe	Robbins	Thornton
Brownell	Dinkelspiel	Hoysradt	Robinson	Tilton
Bush	Douglas	Keleher	Roche	Tobin
Butts	Fairbrother	Kerr	Schulz, H	Trainor
Callahan	Foley	Kerrigan	Sheffield	Wieman
Cassin	Friday	Lawson	Smith, M.F.	Speaker
Chambers	Fuller	Loonan	Snyder	

Those who voted in the negative, were

Berry	Gould	Lasch	Reilly	Stevens
Burtis	Gray	Lounsbury	Robertson	Stewart
Cahill	Harrigan	Marrin	Ryder, E.L.	Sulzer
Cain	Hennessy	Matthews	Scanlon	Ferry, C.W
Carroll	Herrman	McDermott	Schillinger	Thompson
Chapman	Hoefler	McKeon	Schoepflin	Tuttle
Davidson	Horton	Melody	Schulz, F.F.	Van Amber
Denniston	Hotaling	Messiter	Seibert	Vehslage
Dowling	Houghton	Mittnacht	Sherwood	Wells
Finnigan	Keck	Myers	Smith, S.W.	Whittet
Fish	Kelsey	Nixon	Stadtfeld	Wilcox
Gardiner	Kneeland	O'Grady	Stein	Wyckoff
Gerst	La Fetra			

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

By unanimous consent,

Mr. Schoepflin introduced a bill entitled "An act to provide for collection of taxes assessed in the name of deceased persons" (Int. No. 1474), which was read the first time.

Mr. Schoepflin asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the member selected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	91	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	Porter	Stevens
Babcock	Dowling	Howe	Rider, J.J.	Stewart
Baker	Eldredge	Kelsey	Robbins	Stone
Berry	Fairbrother	Kern	Robertson	Taylor
Braun	Fish	Kneeland	Robson	Terry, C.W
Brownell	Friday	La Fetra	Ryder, E.L.	Terry, J.F.
Burtis	Fuller	Lasch	Scanlon	Thompson
Bush	Gardiner	Lawson	Schoepflin	Thornton
Butts	Gerst	Lounsbury	Schulz, F.F.	Tilton

Callahan	Gould	Marrin	Schulz, H	Tuttle
Cassin	Gray	Matthews	Seibert	Vacheron
Chambers	Hennessy	McDermott	Sheffield	Van Amber
Clark, J. H.	Herrman	Melody	Sherwood	Wells
Conklin	Higbie	Messiter	Smith, M.F.	Whittet
Coughlin	Hobbie	Myers	Smith, S.W.	Wieman
Cutler	Hoefer	Nixon	Snyder	Wilcox
Dean	Horton	O'Grady	Stadtfeld	Wray
Denniston	Hotaling	Parkhurst	Stein	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1358) entitled "An act to provide for the serial publication, without expense to the State, of the decisions of certain courts as soon as handed down" (Int. No. 1229), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	Parkhurst	Stevens
Babcock	Eldredge	Keck	Porter	Stewart
Baker	Fairbrother	Keleher	Prescott	Stone
Braun	Fish	Kelsey	Rider, J.J.	Taylor
Brennan	Friday	Kern	Robbins	Terry, C.W.
Brownell	Fuller	Kneeland	Robertson	Terry, J.F.
Burtis	Gardiner	Lasch	Robson	Thompson
Bush	Gerst	Lawson	Ryder, E.L.	Thornton
Cain	Glenn	Lounsbury	Scanlon	Tilton
Callahan	Gould	Marrin	Schoepflin	Trainor
Cassin	Gray	Matthews	Schulz, F.F.	Tuttle
Chambers	Hennessy	McDermott	Seibert	Van Amber
Clark, F.E.	Herrman	McKeon	Sheffield	Wells
Clark, J. H.	Higbie	McNamee	Sherwood	Whittet
Conklin	Hobbie	Melody	Smith, M.F.	Wieman
Cutler	Hoefer	Messiter	Smith, S.W.	Wilcox
Davidson	Horton	Myers	Snyder	Wray
Dean	Hotaling	Nixon	Stadtfeld	Wyckoff
Denniston	Houghton	O'Grady	Stein	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 935) entitled "An act to provide for the removal of the bridge over the Erie canal at Porter avenue, in the city of Buffalo, to Jersey street in said city, and for the construction of a new bridge at Porter avenue in said city, and making an appropriation therefor" (Int. No. 854), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dowling	Howe	Porter	Stevens
Baker	Eldredge	Keck	Prescott	Stewart
Braun	Fairbrother	Keleher	Rider, J.J.	Stone
Brennan	Fish	Kelsey	Robbins	Sulzer
Brownell	Friday	Kern	Robertson	Taylor
Burtis	Fuller	Kneeland	Robson	Terry, J.F.
Bush	Gardiner	Lasch	Scanlon	Thompson
Butts	Gerst	Lawson	Schoepflin	Thornton
Callahan	Glenn	Lee	Schulz, F.F.	Tilton
Carroll	Gould	Marrin	Schulz, H	Trainor
Cassin	Gray	Matthews	Seibert	Tuttle
Chambers	Hennessy	McDermott	Sheffield	Vacheron
Clark, F.E.	Higbie	McKeon	Sherwood	Van Amber
Clark, J.H.	Hobbie	McNamee	Smith, M.F.	Wells
Conklin	Hoefer	Melody	Smith, S.W.	Whittet
Cutler	Horton	Nixon	Snyder	Wieman
Dean	Hotaling	O'Grady	Southworth	Wray
Ainsworth	Houghton	Parkhurst	Stadtfeld	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 97) entitled "An act making an appropriation to pay for the construction of a sewer under the Oswego canal, in the village of Fulton, New York" (Int. No. 112), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Porter	Stein
Babcock	Eldredge	Keleher	Prescott	Stevens
Baker	Fairbrother	Kelsey	Rider, J.J.	Stewart
Braun	Fish	Kerr	Robbins	Taylor
Brownell	Friday	Kerrigan	Robertson	Terry, C.W.
Burtis	Fuller	Kneeland	Robson	Terry, J.F.
Bush	Gardiner	Lasch	Ryder, E.L.	Thompson
Butts	Gerst	Lawson	Scanlon	Thornton
Cain	Glenn	Lee	Schoepflin	Tilton
Callahan	Gould	Lounsbury	Schulz, F.F.	Trainor
Cassin	Gray	Matthews	Schulz, H	Van Amber
Chambers	Herrman	McDermott	Seibert	Wells
Clark, F.E.	Higbie	McKeon	Sheffield	Whittet
Clark, J. H.	Hobbie	Melody	Sherwood	Wieman
Conklin	Hoefer	Messiter	Smith, M.F.	Wilcox
Coughlin	Hotaling	Myers	Snyder	Wray
Cutler	Houghton	O'Donnell	Stadtfeld	Wyckoff
Dean	Howe	Parkhurst		

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Harrigan introduced a bill entitled "An act authorizing the city of Yonkers to issue street improvement bonds" (Int. No. 1475), which was read the first time and referred to the committee on affairs of cities.

The bill (No. 1464) entitled "An act making an additional appropriation for the construction of a swing or hoist bridge over the Erie canal at Emerson street, in the city of Rochester" (Int. No. 552), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	Parkhurst	Southworth
Babcock	Fairbrother	Hoysradt	Porter	Stevens
Baker	Finnigan	Kelsey	Prescott	Stewart

Braun	Fish	Kerr	Rider, J.J.	Stone
Brownell	Friday	Kneeland	Robbins	Taylor
Burtis	Fuller	Lasch	Robertson	Ferry, C.W.
Bush	Gardiner	Lawson	Robson	Thompson
Butts	Gerst	Lee	Roche	Thornton
Callahan	Glenn	Lounsbury	Scanlon	Tilton
Oarroll	Gould	Marrin	Schoepflin	Tuttle
Chambers	Gray	Matthews	Schulz, F.F.	Vacheron
Clark, F.E.	Herrman	McDermott	Schulz, H	Van Amber
Clark, J. H.	Higbie	McKeon	Seibert	Wells
Conklin	Hobbie	Melody	Sheffield	Whittet
Coughlin	Hoefler	Messiter	Sherwood	Wieman
Cutler	Horton	Myers	Smith, M.F.	Wilcox
Dean	Hotaling	O'Donnell	Smith, S.W.	Wray
Denniston	Houghton	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Howe called from the table the bill (No. 1169), entitled "An act in relation to the corporation called the Baptist Missionary Convention of the State of New York" (Int. No. 1036), previously laid aside on the order of third reading.

Mr. Howe moved to amend the same by substituting the following:

AN ACT in relation to the incorporation called the Baptist Missionary Convention of the State of New York, and the property of extinct Baptist churches and Baptist religious societies.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All the property, both real and personal, belonging to or held in trust for any Baptist church or Baptist religious society organized under the Laws of the State of New York, that has become, or shall become extinct, shall vest in and become the property of the Baptist Missionary Convention of the State of New York and its successors or assigns; provided that this act shall not affect the reversionary interests of any person or persons in such property, nor the interests of any incorporated association; and any Baptist church or Baptist religious society becoming extinct or about to disband or disorganize may, by a vote of two-thirds of its members present and voting therefor at a meeting regularly called for that purpose assign, transfer, grant and convey all its temporalities to, and place the same in the possession of the Baptist Missionary Convention of the State of New York.

§ 2. Any Baptist church or Baptist religious society which has failed for two consecutive years next prior thereto to maintain

religious services according to the customs and usages of Baptist churches, or has less than thirteen resident, attending members paying annual pew rental, or making annual contributions towards its support, may be declared extinct in the following manner, viz.: Upon such notice as the court may prescribe, and upon application made by petition, stating fully the facts in the case, and on evidence being furnished that the said Baptist church or Baptist religious society has ceased to hold services in and use said property for religious worship or service for a term of two years previous to such application, the Supreme Court, at a term thereof held in the judicial district where such property is situated, may grant an order, declaring such church or society extinct, and thereon direct that all its temporalities shall be transferred to, and thereupon shall be taken possession of by the Baptist Missionary Convention of the State of New York, or directing that the same be sold in the manner directed by said order, and that the proceeds thereof, after payment of the debts of such church or society, be paid over to the Baptist Missionary Convention of the State of New York. All property and proceeds from the sale of property so transferred to said convention shall be used and applied for the purposes for which said Baptist Missionary Convention of the State of New York was organized, and shall not be directed to any other purpose.

§ 3. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 4. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	109	}
{	NOES	2	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Mittnacht	Smith, S.W.
Babcock	Dinkelspiel	Houghton	Myers	Snyder
Baker	Douglas	Howe	Nixon	Stadtfeld
Braun	Eldredge	Keck	O'Donnell	Stein
Brownell	Fairbrother	Keenan	O'Grady	Stevens
Burtis	Finnigan	Keleher	Porter	Stewart
Bush	Fish	Kelsey	Prescott	Stone
Butts	Friday	Kerr	Reilly	Sulzer
Cahill	Fuller	Kerrigan	Rider, J.J.	Terry, C.W.

Callahan	Gardiner	Kneeland	Robbins	Terry, J.F.
Carroll	Gerst	La Fetra	Robertson	Thompson
Cassin	Gleason	Lasch	Robson	Thornton
Chambers	Glenn	Lawson	Roche	Tobin
Chapman	Gould	Lee	Ryder, E.L.	Tuttle
Clark, F.E.	Gray	Lounsbury	Scanlon	Van Amber
Clark, J.H.	Harrigan	Loonan	Schoepflin	Wells
Conklin	Hennessy	Marrin	Schulz, F.F.	Whittet
Corrigan	Herrman	Matthews	Schulz, H	Wieman
Coughlin	Higbie	McDermott	Seibert	Wilcox
Cutler	Hobbie	McKeon	Sheffield	Wray
Davidson	Hoefer	Melody	Sherwood	Wyckoff
Dean	Horton	Messiter	Smith, M.F.	

Those who voted in the negative, were

Dowling Foley

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bush called from the table the Senate bill (No 564) entitled "An act to amend chapter 559 of the Laws of 1893, entitled 'An act in relation to the militia, constituting chapter 17 of the general laws'" (Rec. No. 158), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Parkhurst	Stevens
Babcock	Eldredge	Howe	Porter	Stewart
Baker	Fairbrother	Keck	Prescott	Stone
Berry	Finnigan	Keleher	Rider, J.J.	Sulzer
Braun	Fish	Kelsey	Robbins	Terry, C.W.
Brennan	Foley	Kerr	Robertson	Ferry, J.F.
Burtis	Friday	Kerrigan	Robson	Thompson
Bush	Fuller	Kneeland	Ryder, E.L.	Thornton
Butts	Gardiner	Lasch	Scanlon	Tilton
Cain	Gerst	Lawson	Schoepflin	Trainer
Callahan	Glenn	Lee	Schulz, F.F.	Tuttle
Cassin	Gould	Lounsbury	Schulz, H	Van Amber
Chambers	Gray	Matthews	Seibert	Wells

Clark, F.E.	Herrman	McNamee	Sheffield	Whittet
Clark, J. H.	Higbie	Melody	Sherwood	Wieman
Conklin	Hobbie	Messiter	Smith, S.W.	Wilcox
Corrigan	Hoefer	Myers	Snyder	Wray
Cutler	Horton	Nixon	Stadtfeld	Wyckoff
Dean	Hotaling	O'Grady		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1466) entitled "An act to provide for the erection of a suitable monument to the memory of the soldiers of the Ninth Regiment volunteer infantry of the State of New York who were engaged in the battle of Antietam, and making an appropriation therefor" (Int. No. 858), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	O'Grady	Snyder
Babcock	Denniston	Houghton	Parkhurst	Stadtfeld
Baker	Dinkelspiel	Howe	Porter	Stevens
Berry	Eldredge	Keck	Prescott	Stewart
Braun	Fairbrother	Keleher	Rider, J.J.	Stone
Brownell	Finnigan	Kelsey	Robbins	Sulzer
Burtis	Fish	Kerr	Robertson	Terry, C.W.
Bush	Friday	Kerrigan	Robson	Thompson
Butts	Fuller	Kneeland	Roche	Thornton
Cain	Gardiner	Lasch	Scanlon	Tilton
Callahan	Gerst	Lawson	Schoepflin	Tuttle
Carroll	Glenn	Lounsbury	Schulz, F.F.	Van Amber
Chambers	Gould	Marrin	Schulz, H	Wells
Chapman	Gray	Matthews	Seibert	Whittet
Clark, F.E.	Hennessey	Melody	Sheffield	Wieman
Clark, J. H.	Higbie	Messiter	Sherwood	Wilcox
Conklin	Hobbie	Mittnacht	Smith, M.F.	Wray
Coughlin	Hoefer	Nixon	Smith, S.W.	Wyckoff
Cutler	Horton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1323) entitled "An act ceding to the city of Buffalo, for park purposes, a strip of land on the south side of Scajauquady creek, in said city, now a portion of the lands of the Buffalo State Hospital" (Int. No. 1167), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
 { NOES 60 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Parkhurst	Stein
Babcock	Douglas	Howe	Porter	Stevens
Baker	Eldredge	Keck	Prescott	Stewart
Berry	Fairbrother	Keleher	Rider, J.J.	Stone
Braun	Finnigan	Kelsey	Robbins	Taylor
Brennan	Fish	Kerr	Robertson	Terry, C.W.
Brownell	Friday	Kerrigan	Robson	Terry, J.F.
Burtis	Fuller	Kneeland	Ryder, E.L.	Thompson
Bush	Gardiner	Lasch	Scanlon	Thornton
Butts	Gerst	Lawson	Schoepflin	Trainor
Cain	Glenn	Lee	Schulz, F.F.	Tuttle
Callahan	Gould	Lounsbury	Schulz, H	Vacheron
Carroll	Gray	Marrin	Seibert	Van Amber
Chambers	Herrman	Matthews	Sheffield	Wells
Clark, F.E.	Higbie	Melody	Sherwood	Whittet
Clark, J. H.	Hobbie	Messiter	Smith, M.F.	Wieman
Conklin	Hoefer	Myers	Smith, S.W.	Wilcox
Coughlin	Horton	Nixon	Snyder	Wray
Cutler	Hotaling	O'Grady	Stadtfeld	Wyekoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1234) entitled "An act to appropriate money for the support of the insane, under the provisions of chapters 126 of the Laws of 1890 and 214 of the Laws of 1893" (Int. No. 1094), having been announced for a third reading,

Mr. Ainsworth moved to amend said bill as follows:

(Reference to printed bill.)

Page 1, line 3, strike out the word "one-third" and insert the words "thirty-three one-hundredths."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 89 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kelsey	Prescott	Stewart
Babcock	Fairbrother	Kern	Rider, J.J.	Stone
Baker	Finnigan	Kerrigan	Robbins	Sulzer
Berry	Fish	Kneeland	Robertson	Terry, C.W.
Braun	Friday	Lawson	Robson	Terry, J.F.
Brownell	Fuller	Lee	Roche	Thompson
Burtis	Gardiner	Lounsbury	Ryder, E.L.	Thornton
Butts	Gerst	Marrin	Schillinger	Tilton
Cahill	Glenn	Matthews	Schoepflin	Tuttle
Callahan	Gould	McDermott	Schulz, F.F.	Vacheron
Carroll	Gray	McNamee	Seibert	Van Amber
Chambers	Herrman	Melody	Sheffield	Wells
Clark, F.E.	Higbie	Messiter	Sherwood	Whittet
Clark, J. H.	Hobbie	Mittnacht	Smith, S.W.	Wieman
Corrigan	Hoefler	Nixon	Snyder	Wilcox
Cutler	Hotaling	O'Grady	Stadtfeld	Wray
Dean	Houghton	Parkhurst	Stein	Wyckoff
Denniston	Howe	Porter	Stevens	

Ordered; That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1449) entitled "An act relative to the Supreme Court of the second judicial department" (Int. No. 1271), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 101 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hobbie	Nixon	Snyder
Babcock	Denniston	Hoefler	O'Grady	Southworth
Baker	Dinkelspiel	Horton	Parkhurst	Stadtfeld
Berry	Douglas	Hotaling	Porter	Stewart

Braun	Dowling	Houghton	Prescott	Stone
Brennan	Eldredge	Howe	Reilly	Sulzer
Brownell	Fairbrother	Keck	Rider, J.J.	Terry, C.W.
Burtis	Finnigan	Kelsey	Robbins	Terry, J.F.
Bush	Fish	Kerr	Robertson	Thompson
Butts	Foley	Kneeland	Robson	Thornton
Callahan	Friday	La Fetra	Roche	Tilton
Carroll	Fuller	Lasch	Ryder, E.L.	Tobin
Cassin	Gardiner	Lawson	Scanlon	Trainor
Chambers	Gleason	Lounsbury	Schillinger	Tuttle
Chapman	Glenn	Loonan	Schoepflin	Van Amber
Clark, F.E.	Gould	Marrin	Schulz, F.F.	Vehslage
Clark, J. H.	Harrigan	McDermott	Schulz, H	Wells
Conklin	Hennessy	McKeon	Seibert	Whittet
Corrigan	Herrman	Melody	Smith, M.F.	Wieman
Cutler	Higbie	Messiter	Smith, S.W.	Wilcox
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth in the chair.

The bill (No. 47) entitled "An act authorizing the superintendent of public works to remove the bridge now spanning Erie canal at Main street in the village of Fairport" (Int. No. 49), having been announced for a third reading,

Mr. Stone moved to amend said bill as follows :

Page 1, section 2, line 9, strike out the words " twelve thousand dollars" and insert the words " ten thousand dollars."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	O'Grady	Southworth
Babcock	Douglas	Howe	Porter	Stadtfeld
Baker	Dowling	Hoysradt	Prescott	Stein
Berry	Eldredge	Keck	Reilly	Stewart
Braun	Fairbrother	Keleher	Rider, J.J.	Stone
Brennan	Finnigan	Kelsey	Robbins	Sulzer
Brownell	Fish	Kerr	Robertson	Terry, C.W.

Burtis	Foley	Kneeland	Robinson	Terry, J.F.
Bush	Friday	La Fetra	Robson	Thornton
Butts	Fuller	Lasch	Roche	Tilton
Callahan	Gerst	Lawson	Ryder, E.L.	Tobin
Carroll	Gleason	Lounsbury	Scanlon	Trainor
Cassin	Gould	Loonan	Schillinger	Tuttle
Chambers	Harrigan	Marrin	Schoepflin	Van Amber
Chapman	Hennessy	McDermott	Schulz, F.F.	Vehslage
Clark, F.E.	Herrman	McKeon	Schulz, H	Wells
Clark, J. H.	Higbie	Melody	Sherwood	Whittet
Conklin	Hobbie	Messiter	Smith, M.F.	Wieman
Davidson	He	Myers	Smith, S.W.	Wilcox
Dean	Horton	Nixon	Snyder	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 192) entitled "An act to amend the highway law, relating to application for commissioners and their decisions in certain cases" (Int. No. 191), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same :

"An act to enable the towns and cities of this State to use the Myers automatic ballot machine at all elections therein." (No. 1541, Int. No. 25.)

"An act to prevent and punish fraudulent sales of goods, wares and merchandise at public or private sale by itinerant vendors, and to regulate such sales." (No. 1415, Int. No. 546.)

"An act providing for the erection of a State armory in the village of Tonawanda, Erie county, the acquisition of a site therefor, and making an appropriation for building said armory." (No. 1467, Int. No. 211.)

"An act making the printed records of the town of Brookhaven, Suffolk county, competent evidence in all the courts of this State." (No. 385, Int. No. 378.)

"An act to amend the Code of Criminal Procedure, relating to special sessions in Brooklyn." (No. 491, Int. No. 464.)

"An act to lay out and establish Fort Washington park in the Twelfth ward of the city of New York." (No. 1411, Int. No. 943.)

"An act to authorize the city of Rochester to issue bonds to pay for a water distributing system." (Not printed, Int. No. 1450.)

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' and acts amendatory thereof, in relation to the enforcement and collection of taxes in and for the village of Fair Haven, in the county of Cayuga." (No. 1140, Int. No. 1004.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker presented a communication from the Chamber of Commerce of the State of New York, in reference to rapid transit; which was ordered printed and referred to the committee on affairs of cities.

(See Document.)

By unanimous consent,

Mr. Reilly introduced a bill entitled "An act to amend chapter 78 of the Laws of 1880, entitled 'An act to enable the trustees of villages in the county of Richmond to contract for a supply of water for fire and other public purposes and to raise and expend money therefor, as amended by chapter 174 of the Laws of 1889 and chapter 620 of the Laws of 1892'" (Int. No. 1476), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent,

Mr. O'Grady introduced a bill entitled "An act to incorporate the Masonic Temple Association of the city of Rochester, N. Y." (Int. No. 1477), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Herrman introduced a bill entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine the claim of Ludwig Bauman, for dry goods furnished to the fire department of the city of New York, and to make appropriation for the payment of the same" (Int. No. 1478), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to amend section 1030 of the Code of Civil Procedure" (Int. No. 1479), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. Keck introduced a bill entitled "An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville'" (Int. No. 1482), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act to amend chapter 307 of the Laws of 1879, entitled 'An act to provide for the summary investigation of unlawful or corrupt expenditures by officers of towns or incorporated villages and for restraining the same'" (Int. No. 1481), which was read the first time.

On motion of Mr. Fish, and by unanimous consent, said bill was read the second time, ordered to a third reading and referred to the committee on general laws.

By unanimous consent,

Mr. Wells introduced a bill entitled "An act to authorize the city of Syracuse to use certain moneys raised 'for the construction or contribution to the cost of construction of a bridge and approaches over the tracks of the New York Central and Hudson River Railroad and Delaware, Lackawanna and Western Railroad Company, and the Erie canal, where the same crosses West Genesee street in said city,' for other purposes" (Int. No. 1480), which was read the first time.

On motion of Mr. Wells, and by unanimous consent, said bill was read the second time, ordered to a third reading and referred to the committee on affairs of cities.

The bill (No. 984) entitled "An act to fix and regulate the rate of fare to be charged by the Troy City Railway Company" (Int. No. 895), having been announced for a third reading,

On motion of Mr. J. F. Terry, said bill was laid aside.

The bill (No. 1337) entitled "An act to amend chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Int. No. 1182), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Howe	Parkhurst	Stadtfeld
Babcock	Dowling	Hoysradt	Porter	Stewart
Baker	Eldredge	Keck	Prescott	Stone
Berry	Fairbrother	Keleher	Reilly	Sulzer
Braun	Finnigan	Kelsey	Rider, J.J.	Terry, C W.
Brennan	Fish	Kerr	Robbins	Terry, J.F.
Brownell	Foley	Kneeland	Robinson	Thompson
Burtis	Friday	La Fetra	Robson	Thornton
Bush	Fuller	Lasch	Roche	Tilton
Carroll	Gerst	Lawson	Scanlon	Tobin
Cassin	Gleason	Lounsbury	Schoepflin	Trainor
Chambers	Gould	Loonan	Schulz, F.F.	Tuttle
Chapman	Hennessey	Marrin	Schulz, H	Van Amber
Clark, F.E.	Herrman	McDermott	Seibert	Vehslage
Clark, J. H.	Higbie	McKeon	Sherwood	Wells
Conklin	Hobbie	Melody	Smith, M.F.	Whittet
Davidson	Hoefler	Messiter	Smith, S.W.	Wieman
Dean	Horton	Mittnacht	Snyder	Wilcox
Denniston	Hotaling	Nixon	Southworth	Wyckoff
Dinkelspiel	Houghton	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The privileges of the floor were extended to Messrs. George McCabe and Henry Bacon, former members of this House.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation :

“An act to amend chapter 266 of the Laws of 1894, relating to interference with convicts employed on the public highways.” (No. 1711, Int. No. 1470.)

“An act to limit the powers of constables and to extend the powers of the members of the police force in criminal actions and proceedings in the county of Richmond.” (No. 1611, Int. No. 964.)

“An act amend section 1 of article 1 of title 19 of chapter 20 of part 1 of the Revised Statutes, entitled ‘Of brokerage, stock-jobbing and pawnbrokers.’” (No. 160, Int. No. 1321.)

“An act to amend an act entitled ‘An act respecting elections other than for militia and town officers,’ being chapter 140 of the Laws of 1842.” (No. 1613, Int. No. 492.)

"An act for the erection at the State normal and training school at Geneseo, New York, of a new building to be used for the scientific department and other purposes, and also an additional, separate building for a furnace and boiler-house for heating the several buildings of said school, and making an appropriation therefor." (No. 1689, Int. No. 717.)

Ordered, That said bills be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1599), entitled "An act to provide for the annexation to the city of Brooklyn of the town of Gravesend, in Kings county" (Int. No. 1305), reported the same with the recommendation that it be amended as follows:

Page 7, line 2, strike the letter "e" from the word "interfere."

Page 9, line 7, substitute the letter "t" for "s" in the word "districts."

Page 10, line 13, strike out the letter "r" in the word "officer."

Page 11, line 19, after the word "this" insert the word "acts."

Same page, line 20, change the word "provided" to "providing."

Same page, line 24, strike out the word "it."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1692), entitled "An act to amend the Penal Code" (Int. No. 1133), reported the same with the recommendation that it be amended as follows:

Amend the title so as to read as follows:

"An act to amend the Penal Code, relating to unauthorized wearing of badges."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1579) entitled "An act conferring jurisdiction upon the Board of Claims to ascertain the amount of the claim of Augustus Mackenzie against the State, and to make an award therefor" (Int. No. 1341), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, strike out the words "ascertain the amount of" and insert the words "hear, audit and determine."

Amend the title by inserting after the word "to" the words "hear, audit and determine."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1601), entitled "An act for the adjustment and satisfaction of certain taxes upon the property of Union College" (Int. No. 951), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, strike out the word "that" and commence the word "the" with a capital "T."

Same page, line 3, insert the word "shall" before the word "be."

Same page, line 6, strike out the letter "l" from the word "dollars."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1486) entitled "An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery" (Int. No. 1285), reported the same with the recommendation that it be amended as follows :

Page 1, line 2, strike out the words "and State New York."

Page 3, line 26, change the word "anually" to the word "annually."

Page 4, line 10, change the word "and" to the word "the."

Same page, line 13, strike out the letter "ed" in the word "opened."

Page 6, line 5, change the word "counties" to the word "county."

Same page, line 19, strike out the words "New York."

Page 7, line 17, strike out the words "New York."

Page 8, line 3, change the word "criminad" to the word "criminal."

Same page, strike out all of line 17.

Page 9, line 24, strike out the semicolon after the word "Canajoharie."

Page 10, line 15, strike out the words "New York."

Page 11, line 4, change the word "that" to the word "who"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1246) entitled "An act to amend chapter 543 of the Laws of 1888, entitled 'An act for the protection of dealers in monments, gravestones, enclosures or other structures in cemeteries,' approved by the governor June 9, 1888, passed three-fifths being present" (Int. No. 1108), reported the same with the recommendation that it be amended as follows:

Page 1, strike out line 5 and insert the words "by adding thereto the words following."

Amend the title by inserting the letter "u" in the word "monments."

Same page, line 5, strike out all after the word "cemeteries."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1600) entitled "An act to amend section 1925 of the Code of Civil Procedure, in relation to maintaining actions to prevent waste of public funds" (Int. No. 1457), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after "§ 1925." insert the words "Action by a taxpayer against a public officer."

Same page, line 10, change the word "effect" to "affect"; also, insert the words "§ 2. This act shall take effect September 1, 1894."

Amend the title by striking out the words "section 1925."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1582) entitled "An act to amend chapter 555 of the Laws of 1885, entitled 'An act to regulate and fix the pay or compensation of members of the police force who are police surgeons or doormen, in all cities of this State having, according to the last census, a population exceeding 800,000'" (Int. No. 1344), reported the same with the recommendation that it be amended as follows:

Page 1, line 5, after the word "force" insert the words "who are police surgeons."

Same page, line 6, after the word "to" insert the word "the."

Page 2, line 8, strike out the word "of" and insert the word "or."

Amend the title by striking out the letters "sa" from the word "compensation."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1705), entitled "An act to authorize religious corporations organized under provisions of chapter 60 of the Laws of 1813, or of any acts amendatory thereof or supplementary thereto, or under any special act or charter, to convey their property to the Brooklyn Church Society of the Methodist Episcopal Church" (Int. No. 1336), reported the same with the recommendation that it be amended as follows:

Page 2, line 6, strike out the letter "e" from the word "effect" and add a letter "a," making it read "affect."

Amend the title by inserting a semicolon after the word "charter," in the fifth line.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1153), entitled "An act to amend section 405a of the Penal Code, relating to the sale and use of opium, morphine, chloral, cocaine and medicines and preparations containing such drugs, by pharmacists, apothecaries, druggists, physicians, surgeons, dentists or other persons" (Int. No. 1019), reported the same, with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "Code of Criminal Procedure, regulating prescriptions and preparations of opium, morphine, cocaine and chloral."

Page 3, line 17, strike out the word "July" and insert the word "September."

Amend the title by striking out the words "section 405a of."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1555) entitled "An act relating to the office of highway commissioner" (Int. No. 1375), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the word "that" and commence the word "in" with a capital "I."

Same page, same line, after the words section 1 insert the words "Subdivision 2 of the town law is hereby amended to read as follows:"

"2. Commissioners of highways.—When there is but one such officer, two dollars a day; when more than one such officer in a town one dollar and fifty cents per day."

Page 1, line 5, add the words "in addition to the per diem compensation allowed."

"§ 2. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to amend the town law relating to the compensation of highway commissioners."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 279) entitled "An act to amend an act entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof'" (Int. No. 275), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "ninety-two" insert the words "entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof.'"

Same page, line 5, after "§ 3" insert the words "Waters not to be stocked from stream."

Same page, line 9, add the letters "ed" to the word "stock."

Amend the title so as to read as follows:

"An act to amend the game law, relative to stocking from streams."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1563), entitled "An act to amend section 323 of the Code of Criminal Procedure, relative to lotteries" (Int. No. 1369), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, after the word "the" insert the word "penal."
Same page, line 2, strike out the words, "of Criminal Procedure."

Same page, line 11, strike out the word "immediately" and insert the words "September 1, 1894."

Amend the title so as read as follows :

"An act to amend the Penal Code, relative to lotteries."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1606), entitled "An act to provide for the erection of a building for court purposes in the city of New York" (Int. No. 1000), reported the same, with the recommendation that it be amended as follows :

Page 2, line 25, strike out comma after the word "days."

Page 3, line 22, insert a comma after the word "interested."

Page 5, line 19, insert a comma after the word "report."

Page 7, line 13, strike out the word "forth."

Page 8, line 8, insert a period after the word "executed."

Same page, line 27, strike out the word "direct" and insert the word "reject."

Page 11, line 10, strike out the word "commissioner" and insert the word "contractor."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1673), entitled "An act authorizing the construction of a stone wall along the edge of the towing path of the Erie canal and on the west line of property known as No. 10 Austin street, in the city of Buffalo, and making an appropriation therefor" (Int. No. 1437), reported the same, with the recommendation that it be amended as follows :

Page 1, line 3, strike out the words "New York."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1612), entitled "An act to provide for a county auditor and to regulate the purchase of supplies for the county institutions and officers of the county of Erie" (Int. No. 1352), reported the same with the recommendation that it be amended as follows:

Page 1, line 6, strike out the words "the county," and all of lines 7 and 8.

Page 2, strike out the word "ninety-five."

Page 3, after the word "by" insert the word "upon."

Page 5, line 11, strike out the period after the word "maintenance" and insert a semicolon.

Page 6, line 6, change the word "is" to "his."

Same page, line 22, strike the letter "s" from the words "auditors and boards."

Same page, line 23, strike the letter "s" from the word "boards."

Add a new section to read as follows:

"This act shall take effect September 1, 1894."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1549) entitled "An act to amend sections 10 and 11 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city'" (Int. No. 1351), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the words "said act" and insert the words "chapter 269 of the Laws of 1892."

Page 6, line 22, change the word "aricle" to "article."

Amend the title by striking out on first line the words "sections 10 and 11 of."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1283) entitled "An act relating to an approach to the Washington bridge, in the city of New York, known as Boscobel avenue" (Int. No. 1166), reported the same with the recommendation that it be amended as follows :

Page 1, line 4, strike out the letter "a" and insert a letter "o" in the word "Bascobel."

Same page, line 7, strike out the letter "a" and insert a letter "o" in the word "Bascobel."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1526) entitled "An act to repeal chapter 526 of the Laws of 1869, entitled 'An act to establish a uniform width of tracks for vehicles using the public highways in the town of East Hampton and South Hampton, Suffolk county'" (Int. No. 1338), reported the same with the recommendation that it be amended as follows :

Page 1, line 2, after the word "sixty-nine" insert the words "entitled 'An act to establish a uniform width of tracks for vehicles using the public highways in the towns of East Hampton and South Hampton, Suffolk county.'" "

Amend the title by adding the letter "s" to the word "town" in the fourth line.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1521) entitled "An act to authorize the board of street opening and improvement of the city of New York to establish a public place on the southeasterly projection of Cedar park in said city for the convenience of public travel and traffic" (Int. No. 1322), reported the same with the recommendation that it be amended as follows :

Page 2, line 8, strike out the word "serve" and insert the word "curve."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1637) entitled "An act to amend chapter 238 of the Laws of 1890, relating to commitments to the Western house of refuge for women" (Int. No. 1401), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "ninety" insert the words "entitled 'An act to provide for the establishment of a house of refuge for women in western New York."

Page 2, line 8, insert a "t" after the "n" in the word "substantially."

Amend the title so as to read as follows:

"An act to amend chapter 238 of the Laws of 1890, entitled 'An act to provide for the establishment of a house of refuge for women in western New York."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1373) entitled "An act to further amend section 307 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888 and chapter 531 of the Laws of 1890, relating to a pension fund for the police department of said city" (Int. No. 1214), reported the same with the recommendation that it be amended as follows:

Page 2, line 1, after the word "amended" insert the words "by chapter 180 of the Laws of 1884."

Page 3, line 19, add the letter "s" to the word "pension."

Same page, line 22, add the letter "s" to the word "pension."

Amend the title by striking out the words "section 307 of" in the first and second lines.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1644), entitled "An act to amend section 1338 of the Code of Civil Procedure, relative to appeals" (Int. No. 1408), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after "§ 1338" insert the words "When question of fact to be reviewed."

Amend the title by striking out in the first line the words "section 1308 of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1607), entitled "An act conferring upon voters in municipal corporations the power of legislation by direct vote" (Int. No. 1330), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, insert a comma after the word "thousand."

Page 7, line 17, insert the word "or" after the last word "to."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1608), entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws, as amended by chapter 306 of the Laws of 1892'" (Int. No. 432), reported the same with the recommendation that it be amended as follows:

Page 1, line 4, strike out the word "three" and insert the word "four;" also strike out the word "six" and insert the word "thirty-four."

Same page, line 5, change the word "two" to "three."

Page 3, line 1, strike out the word "the" and insert the word "its."

Page 3, line 21, strike out the word "company" and insert the word "corporation."

Page 5, line 1, strike out the word "of" and insert the word "in."

Same page, line 15, add the letter "s" to the word "application."
Amend the title so as to read as follows:

"An act to amend the railroad law, relating to condition of consent and sale of franchise at public auction."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1480), entitled "An act to correct manifest errors in the general laws" (Int. No. 1202), reported the same with the recommendation that it be amended as follows:

Page 2, line 14, strike out comma after the word "low."

Page 7, line 4, insert quotation mark after the word "same."

Page 10, line 7, change the figure "4" to "1."

Same page, line 15, strike out comma after the word "manner."

Page 11, line 13, strike out quotation marks after the word "read" and insert the same before the next word "or."

Page 12, line 16, strike out the word "act" and insert the word "Law."

Same page, line 22, insert quotation marks after the word "provided."

Page 14, line 1, after the figure "1" and before the word "read" insert the word "to."

Page 15, line 19, strike out comma after the word "all."

Page 16, line 1, strike out comma after the word "milk;" also, strike out comma after the word "prohibited."

Same page, line 18, strike out comma after the word "county."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1573) entitled "An act to amend chapter 689 of the Laws of 1892, as amended by chapter 440 of the Laws of 1893, being an act entitled 'An act in relation to banking corporations'" (Int. No. 1334), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, after "Section 1" insert the words "Subdivisions 3 and 5 of;" also, begin the word "Section" before the word "one" with a small letter "s."

Same page, line 3, after the word "two" insert the words "entitled 'An act in relation to banking corporations.'"

Same page, lines 4 and 5, strike out the words "being an act entitled 'An act in relation to banking corporations.'"

Same page, line 5, change the word "is" to the word "are;" after the word "amended" insert the word "respectively," and strike out the words "so as."

Same page, strike out lines 7, 8 and 9.

Page 2, strike out lines 1, 2, 3, 4, 5 and 6.

Same page, strike out lines 13, 14, 15, 16, 17 and 18.

Page 3, strike out lines 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.

Amend the title so as to read as follows:

"An act to amend the banking law, relating to securities in which deposits may be invested."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1699) entitled "An act to incorporate the city of Little Falls" (Int. No. 295), reported the same without recommendation.

Ordered, That said bill be engrossed for a third reading.

Mr. Sulzer offered for the consideration of the House, a resolution in the words following:

Whereas, The death of General Henry W. Slocum, who died at his residence in the city of Brooklyn on the fourteenth instant, removes the most distinguished soldier which the State of New York furnished to the country during the war of the Rebellion, and one of the few remaining full-ranked Major-Generals, and one of the two army commanders during that long and historical struggle, and

Whereas, Whether in peace or war, General Slocum was always conspicuous for those qualities of head and heart which are prominent in the born leader of men, therefore be it

Resolved, That out of respect to his memory the Speaker appoint a committee of this House to attend his funeral to be held in Brooklyn to-morrow, and that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted by a rising vote.

Mr. Speaker appointed as such committee Messrs. Porter, Gould, Wells, Bush and Finnigan.

Pursuant to said resolution, the House adjourned.

TUESDAY, APRIL 17, 1894.

The House met pursuant to adjournment.

No clergyman present.

On motion of Mr. J. F. Terry, the journal of yesterday was approved without being read.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 576, entitled "An act making an appropriation for the support of government," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Marrin offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 551, entitled "An act to amend chapter 354 of of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York,' for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bills:

"An act to fix the place of judicial sales in the county of Kings" (No. 328, Rec. No. 381), which was read the first time and referred to the committee on the judiciary.

"An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claim of Peter R. Fingar against the State" (No. 396, Rec. No. 365), which was read the first time and referred to the committee on claims.

"An act authorizing the construction of a wrought-iron bridge over the Tonawanda creek at Pickardsville, in the counties of Niagara and Erie, and making an appropriation therefor" (No. 852, Rec. No. 357), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter 584 of the Laws of 1869, entitled 'An act to create the Manhattan Eye and Ear Hospital in the city of New York,' passed May 5, 1869, as amended by chapter 349 of the Laws of 1884" (No. 364, Rec. 724), which was read the first time, and referred to the committee on affairs of cities.

"An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims arising from the grant by the State to Archibald McIntyre, individually, and as executor and his successors in interest and subsequent grantees and owners and their personal representatives" (No. 928, Rec. No. 353), which was read the first time and referred to the committee on claims.

"An act to amend the insurance law" (No. 696, Rec. No. 350), which was read the first time and referred to the committee on insurance.

"An act to legalize and provide for the payment of certain claims against Long Island City" (No. 598, Rec. No. 369), which was read the first time and referred to the committee on affairs of cities.

"An act to create a new sewer commission for the village of West Troy" (No. 894, Rec. No. 354), which was read the first time and referred to the committee on affairs of villages.

"An act to amend the charter of the city of Rochester in relation to a change of name of the executive board of said city" (No. 1004, Rec. No. 372), which was read the first time and referred to the committee on affairs of cities.

"An act for the relief of John C. O'Brien" (No. 997, Int. No. 374), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize and enable city of Cohoes to borrow money on its credit for the purpose of removing the present school building, situate on Mangam street in that city, and erecting upon the same site a public school building, and to properly furnish and equip the same" (No. 891, Rec. No. 352), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown'" (No. 985, Rec. No. 378), which was read the first time and referred to the committee on affairs of cities.

"An act making an appropriation for completion and repairs to the State military storehouse at Binghamton" (No. 486, Rec. No. 380), which was read the first time and referred to the committee on ways and means.

"An act ceding to the city of Buffalo, for park purposes, a strip of land on the south side of Scjauquady creek in said city, now a portion of the lands of the Buffalo State Hospital" (No. 810, Rec. No. 359), which was read the first time and referred to the committee on ways and means.

"An act to provide for the payment of the expenses of the Senate committee appointed to investigate the police department of the city of New York" (No. 669, Rec. No. 358), which was read the first time and referred to the committee on ways and means.

"An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claim of Patrick Gawkins, and the claim of the estate of Giles Hawley, deceased, against the State" (Not printed, Rec. No. 368), which was read the first time and referred to the committee on claims.

"An act to appoint water commissioners and to empower the taxpayers and voters of the city of Mount Vernon, Westchester county, to raise by vote, and the board of water commissioners of said city upon such vote to borrow upon the credit of said city and issue bonds for a sum not exceeding fifteen per centum of the assessed valuation of the property of the city, as appears upon the assessment-roll of said city for the year 1893, for the purpose of purchasing the necessary lands, water property rights, easements and franchises therefor in said county and any adjoining county, and for the construction, building and furnishing a system of water works to supply said city with pure and wholesome water" (No. 838, Rec. No. 360), which was read the first time and referred to the committee on affairs of cities.

"An act to construct a bridge over Butternut creek in the town of Dewitt, in the county of Onondaga, and for an appropriation therefor" (No. 766, Rec. No. 361), which was read the first time and referred to the committee on ways and means.

"An act to provide for the reorganization of the board of charities and corrections of the county of Kings, and for the appointment of a commissioner thereof, and subordinates of said depart-

ment" (No. 739, Rec. No. 356), which was read the first time and referred to the committee on charitable and religious societies.

"An act to amend section 130 of the Penal Code" (No. 861, Rec. No. 362), which was read the first time and referred to the committee on codes.

"An act in relation to the Wallabout market lands in the city of Brooklyn" (No. 748, Rec. No. 373), which was read the first time and referred to the committee on affairs of cities.

"An act to alter the commissioners' map of the city of Brooklyn by striking from the official street maps of said city the canal known as Whale creek canal and the streets unnamed lying on each side thereof and next adjacent thereto between Meserole avenue and Greenpoint avenue, and for the extension of Humboldt street (formerly Smith street) from Meserole avenue to Greenpoint avenue in the city of Brooklyn, and to open, grade and pave said street as extended, and to open said Whale creek canal on the westerly side of Newtown creek, south of Greenpoint avenue, from Newtown creek to Humboldt street" (No. 445, Rec. No. 379), which was read the first time.

Mr. Loonan asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keleher	Plant	Stein
Babcock	Eldredge	Kelsey	Porter	Stevens
Baker	Fairbrother	Kern	Prescott	Stewart
Berry	Fish	Kerrigan	Reilly	Stone
Braun	Foley	La Fetra	Rider, J.J.	Taylor
Brennan	Friday	Lawson	Robbins	Terry, C.W.
Brownell	Gardiner	Lee	Robertson	Terry, J.F.
Butts	Gerst	Lounsbury	Robson	Thompson
Cahill	Gleason	Loonan	Roche	Thornton
Callahan	Gray	Marrin	Scanlon	Tilton

Carroll	Harrigan	Matthews	Schillinger	Tobin
Chambers	Higbie	McDermott	Schulz, F.F.	Tuttle
Conklin	Hobbie	McKeon	Seibert	Vacheron
Coughlin	Hoefler	McNamee	Sheffield	Van Amber
Cutler	Horton	Messiter	Sherwood	Wells
Davidson	Houghton	Myers	Smith, M.F.	Whittet
Dean	Howe	Nixon	Smith, S.W.	Wilcox
Denniston	Keck	O'Grady	Southworth	Wray
Douglas	Keenan	Parkhurst	Stadtfeld	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter 339 of the Laws of 1837, entitled 'An act to incorporate the Troy Female Seminary'" (not printed, Rec. No. 383), which was read the first time.

Mr. Chambers asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hoefler	Melody	Sherwood
Babcock	Dean	Horton	Mittnacht	Smith, M.F.
Baker	Denniston	Hotaling	Nixon	Smith, S.W.
Berry	Dowling	Houghton	O'Grady	Southworth
Braun	Eldredge	Howe	Parkhurst	Stevens
Brennan	Fairbrother	Keck	Porter	Stewart
Brownell	Fish	Kelsey	Prescott	Stone
Burtis	Foley	Kerr	Rider, J.J.	Sulzer
Bush	Friday	Kern	Robbins	Taylor
Butts	Fuller	Kerrigan	Robertson	Terry, J.F.
Cain	Gardiner	Kneeland	Robson	Thompson
Carroll	Gerst	Lasch	Roche	Tilton
Cassin	Gleason	Lawson	Ryder, E.L.	Tuttle
Chambers	Glenn	Lee	Scanlon	Van Amber
Clark, J. H.	Gould	Lounsbury	Schoepflin	Wells
Conklin	Gray	Loonan	Schulz, F.F.	Wieman

Corrigan	Harrigan	Marrin	Schulz, H	Wilcox
Coughlin	Higbie	Matthews	Seibert	Wray
Cutler	Hobbie	McKeon	Sheffield	Wyckoff

Ordered that the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to authorize the removal and reinterment of the human remains buried in the old Hornell cemetery in the city of Hornellsville" (No. 955, Rec. No. 363), which was read the first time.

Mr. M. F. Smith asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Parkhurst	Stewart
Babcock	Dowling	Keck	Porter	Stone
Baker	Eldredge	Kelsey	Prescott	Sulzer
Berry	Fairbrother	Kern	Rider, J.J.	Taylor
Braun	Fish	Kerrigan	Robbins	Terry, C.W.
Brennan	Friday	Kneeland	Robertson	Terry, J.F.
Brownell	Fuller	Lawson	Robson	Thornton
Burtis	Gardiner	Lee	Scanlon	Tilton
Bush	Gerst	Lounsbury	Schoepflin	Tobin
Butts	Glenn	Marrin	Schulz, F.F.	Trainor
Callahan	Gould	Matthews	Schulz, H	Tuttle
Carroll	Gray	McDermott	Seibert	Vacheron
Chambers	Herrman	McKeon	Sheffield	Van Amber
Clark, F.E.	Higbie	McNamee	Sherwood	Wells
Clark, J. H.	Hobbie	Messiter	Smith, M.F.	Whittet
Conklin	Hoefler	Mittnacht	Smith, S.W.	Wieman
Cutler	Horton	Nixon	Snyder	Wilcox
Dean	Hotaling	O'Donnell	Stein	Wyckoff
Denniston	Houghton	O'Grady	Stevens	

Ordered, That the Clerk return said bill to the Senate, with a

message that the Assembly have concurred in the passage of the same.

"An act to provide a new pumping-house, pumping engines and conduit, with appurtenances thereto, for the purpose of supplying the city of Albany with an increased supply of water" (No. 760, Rec. No. 355), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	O'Grady	Southworth
Babcock	Douglas	Howe	Parkhurst	Stadtfeld
Baker	Dowling	Keck	Porter	Stein
Berry	Eldredge	Keenan	Prescott	Stewart
Brennan	Fairbrother	Keleher	Rider, J.J.	Stone
Brownell	Foley	Kern	Robbins	Taylor
Burtis	Friday	Kneeland	Robertson	Terry, C.W.
Bush	Fuller	Lawson	Robinson	Thompson
Butts	Gardiner	Lee	Robson	Thornton
Cain	Gerst	Loonan	Scanlon	Tobin
Callahan	Gleason	Marrin	Schillinger	Trainor
Carroll	Gould	Matthews	Schoepflin	Tuttle
Clark, J. H.	Gray	McKeon	Schulz, H	Van Amber
Conklin	Herrman	Melody	Seibert	Wells
Coughlin	Higbie	Messiter	Sheffield	Whittet
Cutler	Hobbie	Myers	Sherwood	Wilcox
Davidson	Hoefer	Nixon	Smith, S.W.	Wray
Dean	Horton	O'Donnell	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and consolidate therewith

the several acts in relation to the charter of said city,' and the several acts amendatory thereof and supplementary thereto" (No. 872, Rec. No. 375), which was read the first time and referred to the committee on affairs of cities.

"An act for the adjustment and satisfaction of certain taxes upon the property of Union College" (No. 1015, Rec. No. 385), which was read the first time.

On motion of Mr. Myers, said bill was substituted for Assembly bill No. 1601, Int. No. 951, same title and subject, now on the order of third reading.

"An act to amend chapter 347 of the Laws of 1890, entitled 'An act to provide for the payment of the cost and expenses of the construction of a trunk sewer on the east side of the Genesee river, in the city of Rochester, by the issue of bonds of said city, and providing for the payment of said bonds by local assessments,' and the several acts amendatory and supplementary thereto" (No. 879, Rec. No. 376), which was read the first time.

On motion of Mr. O'Grady, said bill was substituted for Assembly bill No. 1452, Int. No. 1295, same title and subject, now on the order of third reading.

The Senate returned the bill (No. 64), entitled "An act to amend the charter of the city of Ithaca" (Int. No. 67), with a message that they have concurred in the passage of the same with the following amendments:

Strike out all after the enacting clause and substitute the following:

"Section 1. Sections 1 and 12 of title 5 of chapter 212 of the Laws of 1888 are hereby amended to read as follows:

"§ 1. The common council shall have power in each year to cause a sum not exceeding \$30,000 to be raised by general tax from the taxable inhabitants of said city on the property therein liable to taxation; but the amount to be so raised in any year may be increased to \$45,000 by a special election called and conducted in the same manner as a special election for determining upon raising money for an extraordinary or special purpose, as provided by this title. On the ballots for such special election shall be written or printed, or partly written and partly printed, on the inside thereof, the words 'For a budget of forty-five thousand dollars' or 'Against a budget of forty-five thousand dollars.' If a majority of the votes at such election shall be in favor of a budget of \$45,000 such amount shall be raised in pursuance of this section. On or before the first of May in each year the common council shall designate how much of such total amount shall be expended for each of the following purposes,

namely : For the payment of the expenses of the police department, including the salary of recorder, chief of police and policemen, rent of police stations and all other expenses thereof, to be known as the police fund ; for the paving, repairing and keeping in order the highways, streets, crosswalks, sewers, open courts, squares, market places, lanes, alleys and public grounds other than cemeteries and parks, and the salary of the city superintendent, to be known as the highway fund ; for the construction, maintenance and repair of bridges and culverts, straightening, restraining and improving creeks, to be known as the bridge and creek fund ; for the maintenance, repair and keeping in order the public parks and cemeteries, to be known as the park and cemetery fund ; for the operation and maintenance of the fire department, including the cost of water supply, to be known as the fire department fund ; for the lighting of the streets of said city and expenses incident thereto, to be known as the lighting fund ; for the payment of salaries of officers not otherwise provided for, and the other contingent expenses of said city, to be known as the salary and contingent fund ; and the sums expended in each year for the several purposes named shall not exceed the amounts so designated, except in cases of unforeseen emergencies.

“§ 12. Whenever the common council shall be of the opinion that the interests of said city require expenditures for any extraordinary or special purpose or purposes, which in their opinion can not be defrayed from the said sum [of \$30,000 hereinbefore mentioned], authorized to be raised by the common council, after defraying the ordinary current expenses of the year, the said common council shall have power to call a special election ; but before ordering such special election, they shall make an estimate of the sum necessary to be raised for such purposes, and shall state the amount and the objects for which it is required, together with the reasons for their opinions, and cause the statement to be published in one or more of the city papers two weeks successively preceding the day of such election. The common council may, after making and publishing such statement, give two weeks' notice of an election, and shall designate in said notice some convenient place in said city for holding the polls of said election and the time when it shall be held. The common council shall choose two of their number to act as inspectors of said election. Every resident of said city of the age of twenty-one years whose name shall be in the assessment-roll made by the assessor or assessors of said city next preceding said special election and upon whose property or upon whom as the owner or possessor of property a tax shall be assessed or imposed in and by said roll, and no other person or persons whatever shall be entitled to vote at said special election. But every trustee, guardian or other person representing property mentioned or named in said roll as the possessor or representative of property assessed therein shall, if a resident of said city and twenty-one years of age, be consid-

ered a qualified voter as aforesaid in respect of the property so represented. The said assessment-roll made by the assessor or assessors, or a copy thereof certified by the city clerk and the mayor of said city, shall be evidence of the names and assessments as aforesaid. The polls of said special election shall be opened and closed in the same manner provided for holding city elections. On the ballots deposited on said special election shall be written or printed, or partly written or partly printed on the inside thereof "for special tax," or "against special tax." The votes received at such special election shall be canvassed and the result certified, and the certificates thereof filed, as prescribed by section 8 of title 2 of this act; and the common council at their next meeting after said election, shall cause the result, as appearing by said certificate, to be entered in their minutes; and if it shall appear that the whole number of votes received at such election "for special tax" shall exceed the whole number of votes "against special tax," it shall be the duty of the common council to cause the said sum of money so voted for, to be assessed, levied and raised in addition to the sum [of \$30,000] authorized to be raised by the common council, and all other sums herein required to be raised, or which are or may be required to be raised by any law of the State of New York, and said special tax may be included in the tax for the current year, or for the next succeeding year, or may be levied in three equal annual installments, in the same manner and with the same authority as herein conferred in reference to the said sum [of \$30,000,] authorized to be raised by the common council, provided always that the total amount proposed to be raised, and to be voted for in any one year at special election or elections, shall not exceed \$10,000. In case of a majority of votes "for special tax," the common council may thereupon proceed to authorize the expenditure of the amount thereof for the purposes specified in their published statement, and may borrow, if they shall deem it necessary to do so, the amount so voted in anticipation of the collection of said tax for a time not exceeding three years, payable in equal annual installments, if loan shall be made for more than one year, and the amount so borrowed shall be expended upon and for the purposes for which the special tax is raised, and shall be paid as soon as the same shall become due, from the avails of the tax. The moneys raised by any special tax shall be paid to, and kept by the treasurer, distinct from any other moneys and entered into a separate account.

"§ 2. This act shall take effect immediately."

Mr. Stewart moved to concur in said amendments.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	O'Grady	Stadtfeld
Babcock	Fairbrother	Keleher	Parkhurst	Stein
Baker	Finnigan	Kelsey	Porter	Stewart
Braun	Fish	Kerr	Prescott	Stone
Brennan	Foley	Kern	Rider, J.J.	Sulzer
Brownell	Friday	Kerrigan	Robbins	Taylor
Burtis	Fuller	Kneeland	Robertson	Terry, C.W.
Bush	Gardiner	La Fetra	Robson	Terry, J.F.
Cahill	Gerst	Lawson	Roche	Thornton
Cain	Glenn	Lee	Scanlon	Tilton
Callahan	Gould	Lounsbury	Schillinger	Trainor
Carroll	Gray	Loonan	Schoepflin	Tuttle
Clark, F.E.	Herrman	Marrin	Seibert	Vacheron
Conklin	Higbie	Matthews	Sheffield	Vehslage
Corrigan	Hobbie	McDermott	Sherwood	Wells
Coughlin	Hoefler	McKeon	Smith, M.F.	Whittet
Dean	Horton	McNamee	Smith, S.W.	Wilcox
Denniston	Hotaling	Melody	Snyder	Wray
Dinkelspiel	Houghton	Mittnacht	Southworth	Wyckoff
Douglas	Howe	Nixon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bills :

“An act to provide the village of Lansingburgh with a police station-house, and to issue bonds therefor” (No. 964, Rec. No. 366), which was read the first time.

On motion of Mr. Chambers, said bill was substituted for Assembly bill No. 1564, Int. No. 1370, same title and subject, now on the order of third reading.

“An act for the completion of the armory for the Twenty-third Regiment in the city of Brooklyn” (No. 394, Rec. No. 351), which was read the first time.

On motion of Mr. Wray, said bill was substituted for Assembly bill No. 1369, Int. No. 120³, same title and subject, now on the order of third reading.

“An act to revise, amend and consolidate the several acts relating to the village of Oneida, and to repeal certain acts and parts of acts.” (No. 1044, Rec. No. 397.)

On motion of Mr. Kern said bill was substituted for Assembly

bill No. 1725, Int. No. 1363, same title and subject, now on the order of third reading.

“An act making an appropriation for building a vertical wall on the berme side of the Erie canal in the city of Utica, from Gilbert street in the city of Utica to Turner street bridge in said city of Utica” (No. 951, Rec. No. 367), which was read the first time.

On motion of Mr. Hoefler, said bill was substituted for Assembly bill No. 1538, Int. No. 796, same title and subject, now on the order of third reading.

“An act in relation to the commitment, care and support of destitute and delinquent children in the county of Kings” (No. 799, Rec. No. 382), which was read the first time.

On motion of Mr. Wray, said bill was substituted for Assembly bill No. 1089, Int. No. 979, same title and subject, now on the order of second reading, and laid aside.

“An act to establish and maintain a police force in the city of Troy” (No. 949, Rec. No. 371), which was read the first time.

On motion of Mr. Chambers, said bill was substituted for Assembly bill No. 1677, Int. No. 1140, same title and subject, now on the order of third reading.

“An act to provide for the protection of the Cayuga and Seneca canal, by repairing the berme bank and breakwater at the foot of Seneca lake, in the counties of Seneca and Ontario, between the outlet and the canal bridge at Geneva, and making an appropriation therefor” (No. 435, Rec. No. 377), was read the first time.

On motion of Mr. Parkhurst, said bill was substituted for Assembly bill No. 1309, Int. No. 1152, same title and subject, now on the order of second reading.

Mr. Finnigan called from the table the bill (No. 1565) entitled “An act to provide for the grading and other improvement of certain park lands in the city of Brooklyn, and to provide the means therefor” (Int. No. 1371), previously laid aside on the order of third reading.

Mr. Finnigan asked unanimous consent that said bill do now have its third reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	Myers	Smith, S.W.
Babcock	Dowling	Hoysradt	Nixon	Snyder
Baker	Eldredge	Keenan	O'Donnell	Southworth
Berry	Fairbrother	Keleher	Parkhurst	Stein
Braun	Finnigan	Kelsey	Porter	Stevens
Brownell	Fish	Kerr	Prescott	Stewart
Burtis	Foley	Kern	Rider, J.J.	Stone
Bush	Friday	Kerrigan	Robbins	Sulzer
Butts	Fuller	Kneeland	Robertson	Taylor
Cain	Gardiner	Lasch	Robinson	Terry, C.W.
Callahan	Gerst	Lawson	Robson	Thompson
Carroll	Glenn	Lee	Roche	Thornton
Chambers	Gould	Lounsbury	Ryder, E.L.	Tilton
Clark, J. H.	Gray	Loonan	Scanlon	Tobin
Conklin	Harrigan	Marrin	Schillinger	Tuttle
Corrigan	Herrman	McDermott	Schoepflin	Vacheron
Coughlin	Higbie	McKeon	Schulz, H	Vehslage
Cutler	Hobbie	McNamee	Seibert	Wells
Davidson	Hoefer	Melody	Sheffield	Wieman
Dean	Horton	Messiter	Sherwood	Wilcox
Denniston	Hotaling	Mittnacht	Smith, M.F.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 401) entitled "An act to amend the public health law, and making an appropriation to carry out the provisions thereof" (Int. No. 31), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 21, strike out all after the word "however," down to and including the word "and," on page 23.

Page 3, line 8, after the word "discovered" insert the words "on such post-mortem examination."

Same page, line 10, after the word "value" insert the words "provided, however, that not more than sixty dollars shall be paid for a diseased registered animal and not more than twenty-five dollars shall be paid for a diseased unregistered animal."

Page 4, line 17, after the word "them" insert the words "and no compensation shall be made under the provisions of this act to any owners for animals killed, unless the animal or animals killed shall have been actually owned and possessed by the owner thereof within the State for a period of three months prior to such condemnations."

Mr. Speaker put the question whether the House would concur in the amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{	AYES	98	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	Messiter	Seibert
Babcock	Dowling	Howe	Mittnacht	Smith, M. F.
Baker	Eldredge	Hoysradt	Myers	Snyder
Berry	Fairbrother	Keleher	Nixon	Stein
Brennan	Finnigan	Kelsey	O'Grady	Stevens
Brownell	Fish	Kerr	Parkhurst	Sulzer
Burtis	Foley	Kern	Porter	Taylor
Bush	Friday	Kerrigan	Prescott	Terry, C W.
Butts	Fuller	Kneeland	Reilly	Thompson
Callahan	Gardiner	Lasch	Rider, J.J.	Thornton
Carroll	Gerst	Lawson	Robbins	Tilton
Cassin	Gleason	Lee	Robertson	Trainor
Chambers	Glenn	Lounsbury	Robinson	Tuttle
Conklin	Gould	Loonan	Robson	Van Amber
Corrigan	Harrigan	Marrin	Ryder, E.L.	Wells
Coughlin	Herrman	Matthews	Scanlon	Whittet
Cutler	Higbie	McDermott	Schillinger	Wilcox
Davidson	Hobbie	McKeon	Schoepflin	Wray
Dean	Hoefler	McNamee	Schulz, H	Wyckoff
Denniston	Horton	Melody		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 157) entitled "An act to authorize the city of Brooklyn to construct public piers at the foot of North Seventh street, at the foot of North Second street and at the foot of South Sixth street, all in the city of Brooklyn, and to acquire land necessary for the same, and to provide for the payment therefor" (Int. No. 163), with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, lines 2 and 3, strike out the words "at the foot of North Second street and at the foot of South Sixth street all."

Amend the title so as to read as follows:

"An act to authorize the city of Brooklyn to construct public piers at the foot of North Seventh, in the city of Brooklyn, and to acquire land necessary for the same, and to provide for the payment therefor."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keenan	O'Grady	Stadtfeld
Babcock	Douglas	Keleher	Plant	Stein
Baker	Dowling	Kelsey	Porter	Stevens
Berry	Eldredge	Kerr	Prescott	Stewart
Braun	Fairbrother	Kerrigan	Rider, J.J.	Stone
Brennan	Fish	Kneeland	Robbins	Sulzer
Brownell	Foley	Lasch	Robertson	Taylor
Burtis	Friday	Lawson	Robinson	Terry, C.W.
Cahill	Fuller	Lee	Robson	Terry, J.F.
Cain	Glenn	Lounsbury	Roche	Thompson
Callahan	Gould	Loonan	Ryder, E.L.	Tilton
Carroll	Gray	Marrin	Scanlon	Tobin
Chambers	Herrman	Matthews	Schoepflin	Tuttle
Chapman	Higbie	McDermott	Schulz, F.F.	Vacheron
Clark, J. H.	Hoefer	McNamee	Seibert	Van Amber
Conklin	Horton	Messiter	Sheffield	Wells
Corrigan	Hotaling	Mitnacht	Sherwood	Whittet
Coughlin	Houghton	Myers	Smith, M.F.	Wieman
Cutler	Howe	Nixon	Smith, S.W.	Wray
Dean	Keck	O'Donnell	Snyder	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

By unanimous consent,

Mr. Harrigan introduced a bill entitled "An act to authorize the city of Yonkers to borrow money and issue bonds for the payment of its indebtedness, other than its bonded indebtedness, which matured prior to March 1, 1894" (Int. No. 1483), which was read the first time and referred to the committee on affairs of cities.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. S. W. Smith, Int. No. 930, entitled "An act to amend chapter 29 of the Laws of 1886, entitled 'An act to amend chapter 410 of the Laws of 1884, entitled An act to amend chapter 354 of the Laws of 1883, entitled An act to regulate and improve the civil service of the State of New York,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1677), entitled "An act to establish and maintain a police force in the city of Troy" (Int. No. 1140), reported the same with the recommendation that it be amended as follows:

Page 2, line 20, after the word "number" insert the word "of."

Page 11, line 1, after the word "shall" insert the word "each,"

Page 13, line 7, after the word "Troy" insert a semicolon.

Page 14, line 6, strike out the word "so" and insert the word "as."

Page 19, line 10, strike out the letter "e" and insert the letter "o" in the word "precedure."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Speaker announced the calendar of the day.

The bill (No. 1392), entitled "An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts" (Int. No. 1240), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Plant	Stone
Babcock	Dowling	Kelsey	Porter	Sulzer
Baker	Eldredge	Kerr	Prescott	Taylor
Berry	Fairbrother	Kern	Rider, J.J.	Terry, C.W.

Braun	Finnigan	Kneeland	Robbins	Terry, J.F.
Brownell	Fish	La Fetra	Robertson	Thompson
Burtis	Foley	Lasch	Robson	Thornton
Bush	Friday	Lawson	Roche	Tilton
Butts	Fuller	Lee	Ryder, E.L.	Tobin
Cain	Gardiner	Lounsbury	Scanlon	Trainor
Carroll	Gerst	Loonan	Schoepflin	Tuttle
Cassin	Gleason	Marrin	Schulz, F.F.	Vacheron
Chambers	Gould	Matthews	Schulz, H	Van Amber
Chapman	Harrigan	McDermott	Seibert	Vehslage
Clark, F.E.	Herrman	McKeon	Sherwood	Wells
Clark, J.H.	Higbie	Melody	Smith, M.F.	Whittet
Conklin	Hobbie	Messiter	Smith, S.W.	Wieman
Corrigan	Hoefer	Mittnacht	Stadtfeld	Wilcox
Davidson	Hotaling	Myers	Stein	Wray
Dean	Houghton	O'Grady	Stewart	Wyckoff
Denniston	Howe	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Davidson called from the table the Senate bill (No. 199) entitled "An act for the relief of Henry H. Brown" (Rec. No. 204), previously laid aside on the order of third reading.

Said bill having been announced for a third reading,

Mr. Davidson moved to amend the same as follows:

(Reference to printed bill.)

Page 2, line 1, strike out the words "in their discretion."

Same page, line 2, strike out the words "and discretion."

Same page, line 6, strike out the words "in their discretion."

Same page, line 8, strike out the words "in like discretion."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kerrigan	Porter	Stevens
Babcock	Fairbrother	Kneeland	Prescott	Stewart
Baker	Finnigan	La Fetra	Rider, J.J.	Stone
Berry	Fish	Lasch	Robbins	Sulzer

Brennan	Foley	Lawson	Robinson	Taylor
Brownell	Friday	Lee	Robson	Terry, C.W.
Burtis	Fuller	Lounsbury	Roche	Thompson
Butts	Gerst	Loonan	Ryder, E.L.	Thornton
Cain	Gleason	Marrin	Scanlon	Tilton
Carroll	Gould	Matthews	Schoepflin	Tobin
Cassin	Higbie	McDermott	Schulz, F.F.	Trainor
Chambers	Hoefer	McKeon	Schulz, H	Tuttle
Chapman	Hotaling	Melody	Seibert	Vacheron
Clark, F.E.	Houghton	Messiter	Sherwood	Van Amber
Clark, J. H.	Howe	Mitnacht	Smith, M.F.	Vehslage
Conklin	Hoysradt	Myers	Smith, S.W.	Wells
Corrigan	Kelsey	O'Grady	Snyder	Whittet
Davidson	Kerr	Parkhurst	Stadtfeld	Wilcox
Dean	Kern	Plant	Stein	Wyckoff
Denniston				

For the negative,

Dowling

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 789) entitled "An act authorizing and empowering the superintendent of public works to construct a lift-bridge or hoist-bridge over the Erie canal in the village of Canajoharie, and making an appropriation therefor" (Int. No. 740), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kerr	Porter	Stewart
Babcock	Fairbrother	Kern	Prescott	Stone
Baker	Finnigan	Kerrigan	Rider, J.J.	Sulzer
Berry	Fish	Kneeland	Robbins	Taylor
Braun	Foley	La Fetra	Robertson	Terry, C.W.
Brownell	Friday	Lasch	Robinson	Terry, J.F.
Burtis	Fuller	Lawson	Robson	Thompson
Bush	Gardiner	Lee	Roche	Thornton
Butts	Gerst	Lounsbury	Ryder, E.L.	Tilton

Cain	Gleason	Loonan	Scanlon	Tobin
Carroll	Gould	Marrin	Schoepflin	Trainor
Cassin	Harrigan	Matthews	Schulz, F.F.	Tuttle
Chambers	Herrman	McDermott	Seibert	Vacheron
Clark, F.E.	Higbie	McKeon	Sherwood	Van Amber
Clark, J. H.	Hoefler	Melody	Smith, M.F.	Vehslage
Conklin	Hotaling	Messiter	Smith, S.W.	Wells
Davidson	Houghton	Mittnacht	Snyder	Whittet
Dean	Howe	Myers	Southworth	Wieman
Denniston	Hoysradt	O'Grady	Stadtfeld	Wilcox
Dinkelspiel	Keleher	Parkhurst	Stein	Wray
Dowling	Kelsey	Plant	Stevens	Wyckoff

Ordered That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Prescott moved to take from the table the motion to reconsider the vote by which the bill (No. 1069), entitled "An act to release to Edward Morgan and James McConnon all the right, title and interest of the people of the State of New York, in and to certain real estate in the village of Herkimer, Herkimer county, New York" (Int. No. 959), was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Prescott moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly not voting in favor thereof.

{ AYES 92 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Gardiner	Lasch	Robinson	Taylor
Babcock	Gerst	Lawson	Robson	Terry, C.W.
Baker	Gleason	Lee	Ryder, E.L.	Terry, J.F.
Braun	Gould	Lounsbury	Scanlon	Thompson
Butts	Harrigan	Loonan	Schoepflin	Thornton
Cain	Herrman	Matthews	Schulz, H	Tilton
Clark, J. H.	Higbie	McDermott	Seibert	Tobin
Conklin	Hobbie	Melody	Sheffield	Trainor
Corrigan	Hoefler	Messiter	Sherwood	Tuttle
Denniston	Hotaling	Mittnacht	Smith, M.F.	Vacheron
Dinkelspiel	Houghton	Myers	Smith, S.W.	Van Amber

Douglas	Howe	O'Grady	Snyder	Vehslage
Eldredge	Keleher	Parkhurst	Southworth	Wells
Fairbrother	Kelsey	Plant	Stadtfeld	Whittet
Finnigan	Kerr	Porter	Stein	Wieman
Fish	Kern	Prescott	Stevens	Wilcox
Foley	Kerrigan	Robbins	Stewart	Wray
Friday	Kneeland	Robertson	Sulzer	Wyckoff
Fuller	La Fetra			

In the negative,

Berry

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 100 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Prescott	Stewart
Babcock	Foley	Kneeland	Rider, J.J.	Stone
Baker	Friday	La Fetra	Robbins	Taylor
Berry	Fuller	Lasch	Robertson	Terry, C.W.
Braun	Gardiner	Lawson	Robinson	Terry, J.F.
Brownell	Gerst	Lee	Robson	Thompson
Cain	Gleason	Lounsbury	Ryder, E.L.	Thornton
Cassin	Gould	Loonan	Scaulon	Tilton
Chambers	Harrigan	Marrin	Schoepflin	Tobin
Clark, J. H.	Herrman	Matthews	Schulz, F.F.	Trainor
Conklin	Higbie	McDermott	Schulz, H	Tuttle
Corrigan	Hobbie	McKeon	Sheffield	Vacheron
Dean	Hoefler	Melody	Sherwood	Van Amber
Denniston	Hotaling	Messiter	Smith, M.F.	Vehslage
Dinkelspiel	Houghton	Mitnacht	Smith, S.W.	Wells
Douglas	Howe	Myers	Snyder	Whittet
Dowling	Keck	O'Grady	Southworth	Wieman
Eldredge	Keleher	Parkhurst	Stadtfeld	Wilcox
Fairbrother	Kelsey	Plant	Stein	Wray
Finnigan	Kerr	Porter	Stevens	Wyckoff

In the negative,

Bush

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolutions recalling from the Governor for the purpose of amendment, the following entitled bills, with a message that they have concurred in the passage of the same:

“An act making an appropriation for the support of government.” (No. 576, Int. No. 582.)

“An act to amend chapter 354 of the Laws of 1883, entitled ‘An act to regulate and improve the civil service of the State of New York.’” (No. 551, Int. No. 517.)

Ordered, That the Clerk deliver said resolutions to the Governor.

By unanimous consent,

Mr. Ainsworth introduced a bill entitled “An act making an appropriation for the disbursement of moneys paid into the treasury in pursuance of the provisions of chapter 479 of the Laws of 1887, and the acts amendatory thereof” (Int. No. 1484), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kerr	Reilly	Stewart
Babcock	Fairbrother	Kern	Rider, J.J.	Stone
Baker	Finnigan	Kneeland	Robbins	Sulzer
Berry	Fish	La Fetra	Robertson	Taylor
Braun	Foley	Lasch	Robson	Terry, C.W.
Brownell	Friday	Lawson	Ryder, E.L.	Terry, J.F.
Burtis	Fuller	Lee	Scanlon	Thompson
Bush	Gardiner	Lounsbury	Schillinger	Thornton
Butts	Gerst	Loonan	Schoepfin	Tilton
Cain	Gleason	Marrin	Schulz, F.F.	Tobin
Carroll	Gould	Matthews	Schulz, H	Trainor
Cassin	Gray	McDermott	Seibert	Tuttle
Chambers	Herrman	Melody	Sheffield	Vacheron

Chapman	Higbie	Messiter	Sherwood	Van Amber
Clark, J. H.	Hobbie	Mittnacht	Smith, M.F.	Vehslage
Conklin	Hoefler	Myers	Smith, S.W.	Wells
Davidson	Hotaling	O'Grady	Snyder	Whittet
Dean	Houghton	Parkhurst	Southworth	Wieman
Denniston	Howe	Plant	Stadtfeld	Wilcox
Dinkelspiel	Keck	Porter	Stein	Wray
Douglas	Keleher	Prescott	Stevens	Wyckoff
Dowling	Kelsey			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Gerst called from the table the bill (No. 1303) entitled "An act to authorize the completion of repairs to the State dam across the Mohawk river at Cohoes and making an appropriation therefor" (Int. No. 1144), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keenan	Plant	Stevens
Babcock	Eldredge	Kelsey	Porter	Stewart
Baker	Fairbrother	Kerr	Prescott	Stone
Berry	Finnigan	Kern	Reilly	Sulzer
Braun	Fish	Kerrigan	Rider, J.J.	Taylor
Brennan	Foley	Kneeland	Robbins	Terry, J.F.
Brownell	Friday	La Fetra	Robertson	Thompson
Butts	Fuller	Lasch	Robson	Thornton
Cain	Gardiner	Lawson	Ryder, E.L.	Tilton
Carroll	Gerst	Lee	Scanlon	Tobin
Cassin	Gleason	Lounsbury	Schoepflin	Trainor
Chambers	Gould	Loonan	Schulz, F.F.	Tuttle
Chapman	Harrigan	Marrin	Seibert	Vacheron
Clark, J. H.	Herrman	Matthews	Sheffield	Van Amber
Conklin	Higbie	McDermott	Sherwood	Vehslage
Corrigan	Hobbie	McKeon	Smith, M.F.	Wells
Davidson	Hoefler	Melody	Smith, S.W.	Whittet
Dean	Hotaling	Messiter	Snyder	Wilcox
Denniston	Houghton	Mittnacht	Southworth	Wray
Dinkelspiel	Howe	Myers	Stadtfeld	Wyckoff
Douglas	Keck	O'Grady	Stein	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Wells introduced a bill entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city'" (Int. No. 1485), which was read the first time.

Mr. Wells asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Parkhurst	Stevens
Babcock	Fairbrother	Kelsey	Porter	Stewart
Baker	Finnigan	Kerr	Prescott	Stone
Berry	Fish	Kern	Reilly	Sulzer
Braun	Foley	Kneeland	Rider, J.J.	Taylor
Brownell	Friday	La Fetra	Robbins	Terry, J.F.
Bush	Fuller	Lasch	Robertson	Thompson
Butts	Gardiner	Lawson	Robson	Thornton
Cain	Gerst	Lee	Ryder, E.L.	Tilton
Carroll	Gleason	Lounsbury	Scanlon	Tobin
Cassin	Gould	Loonan	Schoepflin	Trainor
Chambers	Harrigan	Marrin	Schulz, F.F.	Tuttle
Chapman	Herrman	Matthews	Sheffield	Vacheron
Clark, J. H.	Higbie	McDermott	Sherwood	Van Amber
Conklin	Hobbie	McKeon	Smith, M.F.	Vehslage
Davidson	Hoefler	Melody	Smith, S.W.	Wells
Dean	Hotaling	Messiter	Snyder	Whittet
Denniston	Houghton	Mittnacht	Southworth	Wilcox
Dinkelspiel	Howe	Myers	Stadtfeld	Wray
Douglas	Hoysradt	O'Grady	Stein	Wyckoff
Dowling	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sulzer moved that the privileges of the floor be granted to Major Fellows, of Otsego county, a member of the Assembly in 1844.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer moved that a committee of two be appointed to conduct Major Fellows to a seat by the side of the Speaker.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Sulzer and Ainsworth, who conducted Major Fellows to a seat by the Speaker.

Mr. Chambers gave notice that at some future day he would move to suspend Assembly Rules 3, 15, 16, 17, 28, 29 and 49, for the purpose of reading out of its order Senate bill No. 949, entitled "An act to establish and maintain a police force in the city of Troy," now on the order of third reading.

The Senate bill (No. 565) entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws'" (Rec. No. 312), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keenan	Parkhurst	Stadtfeld
Babcock	Dowling	Kelsey	Plant	Stein
Baker	Eldredge	Kerr	Porter	Stevens
Berry	Fairbrother	Kern	Prescott	Stewart
Braun	Finnigan	Kerrigan	Reilly	Stone
Brennan	Fish	Kneeland	Rider, J.J.	Sulzer
Brownell	Foley	La Fetra	Robbins	Taylor
Butts	Friday	Lasch	Robertson	Terry, C. W.
Cahill	Fuller	Lawson	Robinson	Terry, J.F.
Cain	Gardiner	Lee	Robson	Thompson
Carroll	Gerst	Lounsbury	Ryder, E.L.	Thornton

Cassin	Gleason	Loonan	Scanlon	Tilton
Chambers	Gould	Marrin	Schoepflin	Tobin
Chapman	Harrigan	Matthews	Schulz, F.F.	Trainor
Clark, F.E.	Herrman	McDermott	Schulz, H	Tuttle
Clark, J. H.	Higbie	McKeon	Seibert	Vacheron
Conklin	Hobbie	Melody	Sheffield	Van Amber
Corrigan	Hoefer	Messiter	Sherwood	Vehslage
Davidson	Hotaling	Mitnacht	Smith, M.F.	Wells
Dean	Houghton	Myers	Smith, S.W.	Whittet
Denniston	Howe	O'Donnell	Snyder	Wilcox
Dinkelspiel	Keck	O'Grady	Southworth	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1247) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court" (Int. No. 1109), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 101 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	O'Donnell	Stein
Babcock	Douglas	Keck	O'Grady	Stevens
Baker	Dowling	Kelsey	Plant	Stewart
Berry	Eldredge	Kerr	Porter	Stone
Braun	Fairbrother	Kern	Prescott	Sulzer
Brennan	Finnigan	Kerrigan	Rider, J.J.	Taylor
Brownell	Fish	Kneeland	Robertson	Terry, J.F.
Burtis	Foley	La Fetra	Robinson	Thompson
Butts	Fuller	Lasch	Robson	Thornton
Cain	Gardiner	Lawson	Ryder, E.L.	Tilton
Carroll	Gerst	Lee	Scanlon	Tobin
Cassin	Gleason	Loonan	Schoepflin	Trainor
Chambers	Gould	Marrin	Schulz, F.F.	Tuttle
Chapman	Harrigan	Matthews	Schulz, H	Vacheron
Clark, F.E.	Herrman	McDermott	Seibert	Van Amber
Clark, J. H.	Higbie	McKeon	Sherwood	Vehslage
Conklin	Hobbie	Melody	Smith, M.F.	Wells
Corrigan	Hoefer	Messiter	Smith, S.W.	Whittet

Davidson	Horton	Mittnacht	Snyder	Wilcox
Dean	Houghton	Myers	Stadtfeld	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent.

Mr. Baker introduced a bill entitled "An act to amend section 56 of title 2, part 3 of article 4 of the Revised Statutes, relating to State prisons with respect to the clerk of such prisons" (Int. No. 1487), which was read the first time.

Mr. Baker asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	O'Donnell	Stein
Babcock	Dowling	Howe	O'Grady	Stevens
Baker	Eldredge	Keck	Porter	Stewart
Berry	Fairbrother	Kelsey	Prescott	Stone
Braun	Finnigan	Kerr	Rider, J.J.	Sulzer
Brennan	Fish	Kern	Robbins	Taylor
Brownell	Foley	Kneeland	Robertson	Terry, J.F.
Butts	Friday	La Fetra	Robinson	Thompson
Cain	Fuller	Lasch	Robson	Thornton
Carroll	Gardiner	Lawson	Ryder, E.L.	Tilton
Cassin	Gerst	Lee	Scanlon	Tobin
Chambers	Gleason	Lounsbury	Schoepflin	Trainor
Chapman	Gould	Loonan	Schulz, F.F.	Tuttle
Clark, F.E.	Harrigan	Marrin	Schulz, H	Vacheron
Clark, J. H.	Herrman	Matthews	Seibert	Van Amber
Conklin	Higbie	McKeon	Sherwood	Vehslage
Corrigan	Hobbie	Melody	Smith, M.F.	Wells
Davidson	Hoefer	Messiter	Smith, S.W.	Whittet
Dean	Horton	Mittnacht	Snyder	Wilcox
Denniston	Hotaling	Myers	Stadtfeld	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1393) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution of this State, in relation to county judges and court of sessions in the county of Kings" (Int. No. 1241), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 102 }
{ NOES 00 } .

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Myers	Snyder
Babcock	Douglas	Howe	O'Grady	Southworth
Baker	Dowling	Keck	Plant	Stadtfeld
Berry	Eldredge	Kelsey	Porter	Stein
Braun	Fairbrother	Kerr	Prescott	Stevens
Brennan	Finnigan	Kern	Rider, J.J.	Stewart
Brownell	Fish	Kneeland	Robbins	Sulzer
Bush	Foley	La Fetra	Robertson	Taylor
Butts	Friday	Lasch	Robinson	Terry, C. W.
Cain	Fuller	Lawson	Robson	Terry, J. F.
Carroll	Gardiner	Lee	Ryder, E.L.	Thornton
Cassin	Gerst	Lounsbury	Scanlon	Tilton
Chambers	Gleason	Loonan	Schoepflin	Trainor
Chapman	Gould	Marrin	Schulz, F.F.	Tuttle
Clark, F. E.	Harrigan	Matthews	Schulz, H	Vacheron
Clark, J. H.	Herrman	McDermott	Seibert	Van Amber
Conklin	Higbie	McKeon	Sheffield	Vehslage
Corrigan	Hobbie	Melody	Sherwood	Whittet
Davidson	Hoefer	Messiter	Smith, M.F.	Wilcox
Dean	Horton	Mitnacht	Smith, S.W.	Wyckoff
Denniston	Hotaling			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1336) entitled "An act to amend the agricultural law, authorizing agricultural societies and corporations to lease their grounds" (Int. No. 1181), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Mittnacht	Stadtfeld
Babcock	Douglas	Howe	Myers	Stein
Baker	Dowling	Keck	O'Grady	Stevens
Berry	Eldredge	Keleher	Plant	Stewart
Braun	Fairbrother	Kelsey	Porter	Sulzer
Brennan	Finnigan	Kerr	Prescott	Taylor
Brownell	Fish	Kern	Rider, J.J.	Terry, C.W.
Bush	Foley	Kneeland	Robbins	Terry, J.F.
Butts	Friday	La Petra	Robinson	Thompson
Cain	Fuller	Lasch	Robson	Thornton
Carroll	Gardiner	Lawson	Ryder, E.L.	Tilton
Cassin	Gerst	Lee	Scanlon	Tobin
Chambers	Gleason	Lounsbury	Schoepflin	Trainor
Chapman	Gould	Loonan	Schulz, F.F.	Tuttle
Clark, F.E.	Harrigan	Marrin	Schulz, H	Vacheron
Clark, J. H.	Herrman	Matthews	Seibert	Van Amber
Conklin	Higbie	McDermott	Sherwood	Vehslage
Corrigan	Hobbie	McKeon	Smith, M.F.	Wells
Davidson	Hoefler	Melody	Smith, S.W.	Wilcox
Dean	Horton	Messiter	Snyder	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 831) entitled "An act to confirm the proceedings taken in the issue of the village of New Rochelle highway improvement bonds numbered 'B 1' to 'B 50' inclusive" (Int. No. 765), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	Mittnacht	Snyder
Babcock	Douglas	Houghton	Myers	Stadtfeld
Baker	Dowling	Howe	O'Grady	Stein
Berry	Eldredge	Keck	Plant	Stevens
Braun	Fairbrother	Keleher	Porter	Stone

Brennan	Finnigan	Kelsey	Prescott	Sulzer
Brownell	Fish	Kerr	Rider, J.J.	Taylor
Bush	Foley	Kern	Robbins	Terry, J.F.
Butts	Friday	Kneeland	Robertson	Thompson
Cain	Fuller	La Fetra	Robinson	Thornton
Carroll	Gardiner	Lasch	Robson	Tilton
Cassin	Gerst	Lawson	Ryder, E.L.	Tobin
Chambers	Gleason	Lee	Scanlon	Trajinor
Chapman	Glenn	Lounsbury	Schoepflin	Tuttle
Clark, F.E.	Gould	Loonan	Schulz, F.F.	Vacheron
Clark, J. H.	Harrigan	Marrin	Schulz, H	Van Amber
Conklin	Herrman	Matthews	Seibert	Vehslage
Corrigan	Higbie	McDermott	Sherwood	Wells
Davidson	Hobbie	Melody	Smith, M.F.	Wilcox
Dean	Hoefler	Messiter	Smith, S.W.	Wyckoff
Denniston	Horton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1298) entitled "An act to provide for the payment of all excise moneys and fines for the breach of the laws in relation thereto in the city of Brooklyn into the revenue fund of said city, and to repeal all acts and parts of acts inconsistent therewith" (Int. No. 1138), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 67 }
{ NOES 44 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Scanlon	Terry, J.F.
Babcock	Fuller	Kneeland	Schoepflin	Thompson
Baker	Gardiner	Lawson	Schulz, H	Thornton
Braun	Gerst	Lee	Sheffield	Tilton
Brownell	Gould	Nixon	Sherwood	Tuttle
Burtis	Gray	O'Grady	Smith, M.F.	Vacheron
Chambers	Higbie	Parkhurst	Smith, S.W.	Van Amber
Clark, J. H.	Hobbie	Porter	Snyder	Wells
Conklin	Hoefler	Prescott	Stevens	Whittet
Dean	Horton	Rider, J.J.	Stewart	Wilcox
Denniston	Hotaling	Robbins	Stone	Wray
Eldredge	Howe	Robertson	Taylor	Wyckoff
Fairbrother	Keck	Robson	Terry, C.W	Speaker
Fish	Kelsey			

Those who voted in the negative, were

Berry	Corrigan	Harrigan	Loonan	Schillinger
Brennan	Coughlin	Hennessy	Marrin	Southworth
Butts	Davidson	Herrman	McDermott	Stadtfeld
Cain	Dinkelspiel	Hoysradt	McKeon	Stein
Callahan	Douglas	Keenan	Melody	Sulzer
Carroll	Dowling	Keleher	Mittnacht	Tobin
Cassin	Finnigan	Kerrigan	Myers	Trainor
Chapman	Foley	La Fetra	Reilly	Vehslage
Clark, F.E.	Gleason	Lasch	Robinson	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Dinkelspiel moved that the bill (No. 1354) entitled "An act in relation to the assessment of personal property" (Int. No. 1207) be recommitted to the committee on taxation and retrenchment for the purpose of a hearing, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1243) entitled "An act reappropriating an unexpended balance of certain moneys, appropriated by chapter 726 of the Laws of 1893, for a duplicate pump for water supply for the St. Lawrence State Hospital, for other purposes" (Int. No. 1135), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Horton	Myers	Stein
Babcock	Douglas	Hotaling	O'Grady	Stevens
Baker	Dowling	Houghton	Parkhurst	Stone
Berry	Eldredge	Howe	Porter	Sulzer
Braun	Fairbrother	Keck	Prescott	Taylor
Brennan	Finnigan	Keleher	Rider, J.J.	Terry, C.W.
Brownell	Fish	Kelsey	Robbins	Terry, J.F.
Burtis	Foley	Kerr	Robertson	Thompson
Butts	Friday	Kern	Robinson	Thornton
Cain	Fuller	Kneeland	Robson	Tilton
Carroll	Gardiner	La Fetra	Scanlon	Trainor

Cassin	Gerst	Lasch	Schoepflin	Tuttle
Chambers	Gleason	Lawson	Schulz, F.F.	Vacheron
Chapman	Gould	Lee	Schulz, H	Van Amber
Clark, F.E.	Gray	Loonan	Sheffield	Vehslage
Clark, J. H.	Harrigan	Marrin	Sherwood	Wells
Conklin	Herrman	McDermott	Smith, M.F.	Whittet
Corrigan	Higbie	Melody	Smith, S.W.	Wieman
Davidson	Hobbie	Messiter	Snyder	Wilcox
Dean	Hoefler	Mitnacht	Southworth	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sheffield gave notice that at some future day he would move to suspend Assembly rules 3, 15, 16, 17, 28, 29 and 49 for the purpose of reading out of its order Assembly bill printed No. 1458, entitled "An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York,' " now on the order of third reading.

On motion of Mr. Ainsworth, and by unanimous consent, the special order understood to be set down for 12 o'clock M. to-day, was postponed until 12 o'clock M. to-morrow.

The Senate bill (No. 863), entitled "An act to provide factory inspectors and deputy factory inspectors with badges" (Int. No. 336), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Donnell	Southworth
Babcock	Dinkelspiel	Howe	O'Grady	Stein
Baker	Douglas	Keck	Parkhurst	Stewart
Berry	Dowling	Keleher	Porter	Sulzer
Braun	Eldredge	Kelsey	Prescott	Taylor
Brennan	Fairbrother	Kerr	Rider, J.J.	Terry, C W.
Brownell	Fish	Kern	Robbins	Terry, J.F.
Burtis	Foley	Kneeland	Robertson	Thompson
Cahill	Friday	La Fetra	Robinson	Thornton
Cain	Fuller	Lasch	Robson	Tilton
Carroll	Gardiner	Lawson	Ryder, E.L.	Trainor

Cassin	Gerst	Lee	Scanlon	Tuttle
Chambers	Gleason	Loonan	Schoepflin	Vacheron
Chapman	Gould	Marrin	Schulz, F.F.	Van Amber
Clark, F.E.	Gray	Matthews	Schulz, H	Vehslage
Clark, J. H.	Harrigan	McDermott	Sheffield	Wells
Conklin	Herrman	Melody	Sherwood	Whittet
Corrigan	Hobbie	Mitnacht	Smith, M.F.	Wilcox
Davidson	Hoefler	Myers	Smith, S.W.	Wyckoff
Dean	Horton	Nixon	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1254) entitled "An act to provide for the incorporation of medical societies in the several counties set apart in this State since the passage of the act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813" (Int. No. 1118), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Howe	Parkhurst	Stadtfeld
Babcock	Dowling	Keck	Porter	Stein
Baker	Eldredge	Keleher	Prescott	Stevens
Berry	Fairbrother	Kelsey	Rider, J.J.	Stewart
Brennan	Finnigan	Kerr	Robbins	Stone
Brownell	Fish	Kern	Robertson	Sulzer
Burtis	Foley	Kneeland	Robinson	Taylor
Butts	Friday	La Fetra	Robson	Terry, C W.
Cahill	Fuller	Lasch	Roche	Terry, J.F.
Cain	Gardiner	Lawson	Ryder, E.L.	Thompson
Carroll	Gerst	Lee	Scanlon	Thornton
Cassin	Gleason	Loonan	Schillinger	Tilton
Chambers	Gould	Marrin	Schulz, F.F.	Tobin
Chapman	Gray	Matthews	Schulz, H	Trainor
Clark, F.E.	Harrigan	McDermott	Seibert	Tuttle
Clark, J. H.	Herrman	McNamee	Sheffield	Vacheron
Conklin	Higbie	Melody	Sherwood	Van Amber
Corrigan	Hobbie	Mitnacht	Smith, M.F.	Vehslage

Davidson	Horton	Myers	Smith, S.W.	Wells
Dean	Hotaling	Nixon	Snyder	Wilcox
Denniston	Houghton	O'Grady	Southworth	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 640) entitled "An act making an appropriation for the payment of the actual expenses of travel incurred in the performance of their duty by the State game and fish protectors while engaged in the discharge of their duties" (Int. No. 603), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Nixon	Stein
Babcock	Denniston	Houghton	O'Grady	Stevens
Baker	Douglas	Howe	Parkhurst	Stewart
Berry	Dowling	Keck	Porter	Stone
Braun	Eldredge	Keenan	Prescott	Taylor
Brennan	Fairbrother	Kelsey	Rider, J.J.	Terry, C.W.
Brownell	Fish	Kerr	Robbins	Terry, J.F.
Burtis	Friday	Kern	Robertson	Thornton
Bush	Fuller	Kerrigan	Robson	Tilton
Butts	Gardiner	Lawson	Scanlon	Trainor
Callahan	Gleason	Lee	Schoepflin	Tuttle
Carroll	Glenn	Lounsbury	Schulz, H	Vacheron
Chambers	Gould	Marrin	Seibert	Van Amber
Chapman	Gray	Matthews	Sheffield	Wells
Clark, F.E.	Herrman	McDermott	Sherwood	Whittet
Clark, J. H.	Higbie	McKeon	Smith, M.F.	Wieman
Conklin	Hobbie	Melody	Smith, S.W.	Wilcox
Corrigan	Horton	Messiter	Snyder	Wyckoff
Cutler				

In the negative,
Ryder, E.L.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Thornton, from the committee on the judiciary, to which

was referred the Senate bill introduced by Mr. O'Connor, Rec. No. 130, entitled "An act to amend chapter 8 of the Laws of 1893, entitled 'An act to amend chapter 388 of the Laws of 1892, entitled An act to provide for a convention to revise and amend the Constitution,'" reported in favor of the passage of the same, without amendment, which report was agreed to.

Mr. Sulzer asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Parkhurst	Stein
Babcock	Dowling	Howe	Porter	Stevens
Baker	Eldredge	Keenan	Prescott	Stewart
Berry	Fairbrother	Kelsey	Rider, J.J.	Stone
Braun	Fish	Kern	Robbins	Sulzer
Brownell	Friday	Kneeland	Robertson	Terry, C W.
Burtis	Fuller	Lawson	Robson	Terry, J.F.
Callahan	Gardiner	Lee	Ryder, E.L.	Thompson
Carroll	Gerst	Marrin	Scanlon	Thornton
Cassin	Glenn	Matthews	Schoepflin	Tilton
Chambers	Gould	McDermott	Schulz, F.F.	Trainor
Chapman	Gray	McKeon	Seibert	Tuttle
Clark, F.E.	Hennessey	Melody	Sheffield	Van Amber
Clark, J. H.	Higbie	Messiter	Sherwood	Wells
Conklin	Hobbie	Myers	Smith, M.F.	Whittet
Coughlin	Horton	Nixon	Smith, S.W.	Wilcox
Cutler	Hotaling	O'Grady	Snyder	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Horton introduced a bill entitled "An act to amend the charter of the Lyons Union school, in relation to the election of clerk and trustees" (Int. No. 1488), which was read the first time.

Mr. Horton asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Howe	Prescott	Stevens
Babcock	Fish	Keleher	Rider, J.J.	Stewart
Baker	Friday	Kelsey	Robbins	Stone
Braun	Fuller	Kern	Robertson	Sulzer
Brennan	Gardiner	Kneeland	Robson	Terry, C.W.
Brownell	Gerst	Lawson	Ryder, E.L.	Thompson
Burtis	Glenn	Lee	Scanlon	Thornton
Carroll	Gould	Lounsbury	Schoepflin	Tilton
Chambers	Gray	Matthews	Schulz, F.F.	Trainor
Clark, F.E.	Herrman	Melody	Schulz, H	Tuttle
Clark, J. H.	Higbie	Messiter	Seibert	Van Amber
Conklin	Hobbie	Myers	Sheffield	Wells
Cutler	Hoefler	Nixon	Smith, M. F.	Whittet
Dean	Horton	O'Grady	Smith, S.W.	Wilcox
Denniston	Hotaling	Parkhurst	Snyder	Wray
Dowling	Houghton	Porter	Stein	Wyckoff
Eldredge				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Douglas called from the table the bill (No. 1404) entitled "An act to amend chapter 207 of the Laws of 1851, entitled 'An act declaring Moose river a public highway'" (Int. No. 1066), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	82	}
{	NOES	1	}

Those who voted in the affirmative, were

Ainsworth	Douglas	Hotaling	Porter	Stadtfeld
Babcock	Dowling	Howe	Prescott	Stein
Baker	Eldredge	Keck	Rider, J.J.	Stevens
Braun	Fairbrother	Kelsey	Robbins	Stewart
Brownell	Fish	Kern	Robertson	Stone
Burtis	Friday	Kneeland	Robson	Terry, C.W.
Carroll	Fuller	Lawson	Ryder, E.L.	Thompson
Cassin	Gardiner	Lee	Scanlon	Thornton
Chambers	Gerst	Matthews	Schoepflin	Tilton
Chapman	Glenn	McDermott	Schulz, H	Tuttle
Clark, F.E.	Gould	Melody	Seibert	Van Amber
Clark, J. H.	Gray	Messiter	Sheffield	Wells
Conklin	Herrman	Myers	Sherwood	Whittet
Cutler	Higbie	Nixon	Smith, M.F.	Wilcox
Dean	Hobbie	O'Grady	Smith, S.W.	Wray
Denniston	Hoefer	Parkhurst	Snyder	Wyckoff
Dinkelspiel	Horton			

In the negative,

Sulzer

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 371) entitled "An act to improve a certain highway in the town of Greenwich, Washington county, and making an appropriation therefor" (Int. No. 362), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	86	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	O'Grady	Stadtfeld
Babcock	Eldredge	Keck	Parkhurst	Stein
Baker	Fairbrother	Keenan	Porter	Stevens
Braun	Fish	Kelsey	Prescott	Stewart
Brennan	Foley	Kern	Rider, J.J.	Stone
Brownell	Friday	Kerrigan	Robbins	Sulzer
Burtis	Fuller	Kneeland	Robertson	Terry, C.W.

Callahan	Gardiner	Lasch	Robson	Thompson
Carroll	Gerst	Lawson	Ryder, E.L.	Thornton
Chambers	Gray	Lounsbury	Scanlon	Tilton
Chapman	Herrman	Matthews	Schoepflin	Trainor
Clark, F.E.	Higbie	McDermott	Schulz, F.F.	Tuttle
Clark, J. H.	Hobbie	McKeon	Schulz, H	Vacheron
Conklin	Hoefer	Melody	Sheffield	Van Amber
Cutler	Horton	Messiter	Sherwood	Wells
Dean	Hotaling	Mitnacht	Smith, M.F.	Wieman
Denniston	Houghton	Nixon	Smith, S.W.	Wyckoff
Douglas				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1331), entitled "An act to amend the railroad law, in relation to electric light and power corporations becoming railroad corporations" (Int. No. 1176), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Grady	Stein
Babcock	Douglas	Houghton	Parkhurst	Stevens
Baker	Dowling	Howe	Porter	Stone
Berry	Fairbrother	Keck	Prescott	Taylor
Brennan	Fish	Kelsey	Rider, J.J.	Terry, C.W.
Brownell	Friday	Kern	Robbins	Thompson
Burtis	Fuller	Kneeland	Robertson	Thornton
Callahan	Gardiner	La Fetra	Robson	Tilton
Carroll	Gerst	Lawson	Ryder, E.L.	Trainor
Chambers	Glenn	Lee	Scanlon	Tuttle
Chapman	Gould	Lounsbury	Schoepflin	Van Amber
Clark, F.E.	Gray	Matthews	Schulz, F.F.	Wells
Clark, J. H.	Herrman	McDermott	Schulz, H	Whittet
Conklin	Higbie	Melody	Seibert	Wieman
Coughlin	Hobbie	Messiter	Sherwood	Wray
Davidson	Hoefer	Mitnacht	Smith, M.F.	Wyckoff
Dean	Horton	Nixon	Smith, S.W.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was

referred the bill (No. 1605) entitled "An act to amend section 2, of title 3, of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' by creating a new department to be known as the department of street cleaning" (Int. No. 1243), reported the same with the recommendation that it be amended as follows :

Page 1, line 3, after the word "amended" strike out the words "so as," and insert after subdivision 14, a new subdivision.

Same page, between lines 4 and 5, insert the following :

"§ 2. There is hereby added to said chapter a new title, as title 22, with the section to read respectively, as follows :"

Page 1, line 4, strike out the section mark.

Same page, before line 5, insert the following :

TITLE XXII.

DEPARTMENT OF STREET CLEANING.

Also, in line 5, strike out "§ 2" and insert "§ 1."

Page 1, line 2, before the word "term" insert the word "the."

Same page, same line, after the word "appointment" insert the words "of said commissioner."

Page 2, line 1, strike out the words "and whose," and insert a semicolon after the word "law."

Same page, line 3, change the word "whose" to the word "his."

Same page, line 5, after the word "eighty-eight" insert the words "for the appointment of heads of departments and."

Same page, line 6, change the word "whose" to the word "the;" after the word "of" insert the word "his;" strike out the words "and shall," and change the word "commence" to the word "commencing."

Same page, line 8, strike out the word "he" and insert the words "said commissioner."

Same page, line 9, strike out the word "during" and insert the words "and remove at."

Same page, line 12, change the figure "3" to the figure "2."

Same page, line 15, change the figure "4" to the figure "3," and strike out the words "county of Kings and."

Same page, line 17, after the word "streets," insert the words "of the city of Brooklyn," and after the word "and" insert the word "for."

Same page, line 18, strike out the words "of the city of Brooklyn" and insert the word "therefrom."

Same page, line 19, strike the letter "s" from the word "estimates."

Page 3, line 1, insert the word "such" before the word "exerting."

Same page, lines 1 and 2, strike out the words "for cleaning

the street, removing of ashes, garbage, dead animals and offal of the said city."

Same page, line 5, strike out the word "and."

Same page, line 8, after the word "and" insert the word "for."

Same page, line 14, strike out the word "the" and insert the word "any;" also, strike the letter "s" from the word "contracts."

Same page, line 21, after the word "advertise" insert the words "as other proposals are required to be published; also, strike out the word "said;" also, add the letter "s" to the word "newspaper;" also after the word "newspaper" insert the words "of said city;" also, after the word "ten" insert the word "consecutive."

Page 4, line 6, strike out the word "the" and insert the word "such."

Same page, line 7, strike out the word "either" and insert the word "any;" also after the word "proposal" insert the words "then made."

Same page, line 8, strike out the word "then."

Page 5, line 21, after the word "lands" change the words "of said city so called" to "so called of said city."

Same page, between lines 25 and 26, insert the following:

"§ 7. Title 22 of said chapter 583 of the Laws of 1888, is hereby renumbered so as to read title 23."

Same page, line 26, strike out "7" and insert "8"

Amend the title by striking out in line 1 the words "Section 2 of title 3 of."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The bill (No. 1444) entitled "An act to amend chapter 49 of the Laws of 1893, entitled 'An act to provide for the construction of a sewer in the city of Newburgh,' and extending time for payment" (Int. No. 1266), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Porter	Stein
Babcock	Eldredge	Howe	Prescott	Stevens
Baker	Fairbrother	Keck	Rider, J.J.	Stewart

Braun	Fish	Keleher	Robbins	Stone
Brennan	Friday	Kelsey	Robertson	Sulzer
Brownell	Fuller	Kern	Robson	Terry, G.W.
Burtis	Gardiner	Kneeland	Ryder, E.L.	Thompson
Butts	Gerst	Lasch	Scanlon	Thornton
Carroll	Gleason	Lawson	Schoepflin	Tilton
Chambers	Glenn	Lee	Schulz, F.F.	Tobin
Chapman	Gould	Matthews	Schulz, H	Tuttle
Clark, F.E.	Gray	Melody	Sheffield	Vacheron
Clark, J. H.	Herrman	Messiter	Sherwood	Van Amber
Coughlin	Higbie	Myers	Smith, M.F.	Whittet
Cutler	Hobbie	Nixon	Smith, S.W.	Wilcox
Dean	Hoefler	O'Grady	Snyder	Wyckoff
Denniston	Horton	Parkhurst	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senatē bill (No. 774) entitled "An act to further amend section 66 of chapter 410 of the Laws of 1892, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 108 of the Laws of 1889, in relation to the publication of notices in proceedings to acquire land or interests therein in said city" (Rec. No. 281), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Prescott	Stevens
Babcock	Douglas	Howe	Rider, J.J.	Stewart
Baker	Dowling	Keck	Robbins	Stone
Berry	Eldredge	Keleher	Robertson	Sulzer
Braun	Fairbrother	Kelsey	Robson	Terry, C.W.
Brownell	Fish	Kern	Ryder, E.L.	Terry, J.F.
Burtis	Foley	Kneeland	Schillinger	Thompson
Cahill	Friday	Lawson	Schoepflin	Thornton
Callahan	Fuller	Lee	Schulz, F.F.	Tilton
Carroll	Gardiner	Marrin	Seibert	Trainor
Chambers	Gerst	Matthews	Sheffield	Tuttle
Clark, F.E.	Glenn	Melody	Sherwood	Van Amber
Clark, J. H.	Gould	Messiter	Smith, M.F.	Wells

Conklin	Gray	Mittnacht	Smith, S.W.	Wieman
Coughlin	Higbie	Nixon	Snyder	Wilcox
Cutler	Hobbie	O'Grady	Stadtfeld	Wray
Dean	Hoefler	Parkhurst	Stein	Wyckoff
Denniston	Horton	Plant		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to amend chapter 101 of the Laws of 1894, entitled 'An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the mayor, aldermen and commonalty of the city of New York for assessments affecting property in the city of New York, and directing the comptroller to make such assessments accordingly'" (Rec. No. 233), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	86	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Nixon	Southworth
Babcock	Dinkelspiel	Keck	O'Grady	Stadtfeld
Baker	Douglas	Keleher	Parkhurst	Stein
Berry	Eldredge	Kelsey	Porter	Stewart
Braun	Fairbrother	Kern	Rider, J.J.	Stone
Brennan	Fish	Kneeland	Robbins	Sulzer
Burtis	Friday	Lasch	Robertson	Terry, C.W.
Bush	Fuller	Lawson	Robinson	Thompson
Butts	Gardiner	Lee	Roche	Thornton
Carroll	Gerst	Marrin	Ryder, E.L.	Tilton
Chambers	Gleason	Matthews	Schillinger	Trainor
Chapman	Glenn	McDermott	Schoepflin	Tuttle
Clark, F.E.	Gould	McKeon	Schulz, H	Van Amber
Clark, J. H.	Herrman	Melody	Seibert	Wells
Conklin	Higbie	Messiter	Sherwood	Whittet
Coughlin	Hoefler	Mittnacht	Smith, M.F.	Wilcox
Cutler	Horton	Myers	Smith, S.W.	Wyckoff
Dean	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a

message that the Assembly have concurred in the passage of the same.

Mr. Bush moved to reconsider the vote by which the bill (No. 1254), entitled "An act to provide for the incorporation of medical societies in the several counties set apart in this State since the passage of the act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813" (Int. No. 1118), was passed.

Mr. Keck moved to lay said motion upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Keck, and it was determined in the affirmative.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 17, 1894.* }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 551, Int. No. 517, entitled "An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York.'"

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 83 {
} NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Snyder
Babcock	Dinkelspiel	Howe	Parkhurst	Stein
Baker	Dowling	Keck	Porter	Stevens
Berry	Eldredge	Keleher	Prescott	Stewart
Braun	Fairbrother	Kelsey	Rider, J.J.	Stone
Brennan	Fish	Kern	Robbins	Terry, C.W.
Burtis	Foley	Kneeland	Robinson	Thompson
Bush	Friday	Lasch	Robson	Thornton
Butts	Fuller	Lawson	Ryder, E.L.	Tilton
Carroll	Gardiner	Lounsbury	Scanlon	Trainor

Chambers	Gerst	Marrin	Schoepflin	Vacheron
Chapman	Gould	Matthews	Schulz, H	Van Amber
Clark, F.E.	Gray	McNamee	Seibert	Wells
Clark, J. H.	Herrman	Melody	Sherwood	Wieman
Conklin	Higbie	Messiter	Smith, M.F.	Wray
Cutler	Hobbie	Mitnacht	Smith, S.W.	Wyckoff
Dean	Horton	Nixon		

Mr. Marrin moved to amend said bill as follows :

Section 7, lines 1 and 2, strike out the words "after the termination of eight months from the expiration of the present session of the Legislature, and begin the next word with a capital."

Same section, line 11, strike out the word "to" between the words "Senate" and "be required."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor, and three-fifths being present.

}	AYES	85	}
}	NOES	00	}

Those voting in the affirmative, were

Babcock	Denniston	Howe	Parkhurst	Stadtfeld
Baker	Dinkelspiel	Hoysradt	Porter	Stein
Braun	Dowling	Keenan	Prescott	Stevens
Brownell	Eldredge	Kelsey	Rider, J.J.	Stewart
Burtis	Fairbrother	Kern	Robertson	Stone
Bush	Fish	Kerrigan	Robinson	Sulzer
Butts	Friday	Kneeland	Robson	Terry, C.W
Callahan	Fuller	Lasch	Roche	Thompson
Carroll	Gardiner	Lawson	Ryder, E.L.	Thornton
Chambers	Gerst	Lounsbury	Scanlon	Tilton
Chapman	Glenn	Marrin	Schoepflin	Trainor
Clark, F.E.	Gould	Matthews	Seibert	Tuttle
Clark, J. H.	Gray	Melody	Sheffield	Van Amber
Conklin	Herrman	Messiter	Sherwood	Wells
Coughlin	Higbie	Mitnacht	Smith, M.F.	Wieman
Cutler	Hoefer	Myers	Smith, S.W.	Wray
Dean	Houghton	Nixon	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the following entitled bill :

“An act to amend chapter 91 of the Laws of 1893, entitled ‘An act to authorize the purchase by the State of certain lands heretofore purchased by the county of Erie for the purpose of being used as a county asylum for the insane, and to appropriate the money necessary therefor’” (not printed, Rec. No. 400), which was read the first time.

Mr. Schoepflin asked unanimous consent that said bill be now read the second and third times.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	O'Grady	Stadtfeld
Babcock	Denniston	Howe	Parkhurst	Stein
Baker	Dowling	Keck	Porter	Stevens
Braun	Eldredge	Keleher	Prescott	Stewart
Brennan	Fairbrother	Kelsey	Rider, J.J.	Stone
Brownell	Fish	Kern	Robbins	Taylor
Burtis	Foley	Kneeland	Robertson	Terry, C.W.
Butts	Friday	Lasch	Robson	Terry, J.F.
Callahan	Fuller	Lawson	Roche	Thornton
Carroll	Gardiner	Lee	Ryder, E.L.	Tilton
Chambers	Gerst	Marrin	Scanlon	Trainor
Chapman	Glenn	Matthews	Schoepflin	Tuttle
Clark, F.E.	Gould	McKeon	Schulz, F.F.	Van Amber
Clark, J. H.	Gray	Melody	Seibert	Wells
Conklin	Herrman	Messiter	Sherwood	Whittet
Coughlin	Higbie	Mittnacht	Smith, S.W.	Wilcox
Cutler	Hobbie	Myers	Snyder	Wyckoff
Davidson	Horton	Nixon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 418) entitled “An act to amend chapter 315 of the Laws of 1884, entitled ‘An act requiring contracts for

the conditional sales of property on credit to be filed in the town clerk's and other offices' " (Rec. No. 106), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Parkhurst	Stein
Babcock	Dinkelspiel	Keck	Porter	Stevens
Baker	Douglas	Keenan	Prescott	Stewart
Berry	Dowling	Kelsey	Rider, J.J.	Stone
Braun	Fairbrother	Kern	Robbins	Sulzer
Brownell	Fish	Kneeland	Robertson	Terry, C.W.
Burtis	Foley	Lawson	Robson	Thompson
Bush	Friday	Lee	Roche	Thornton
Butts	Fuller	Marrin	Scanlon	Tilton
Callahan	Gerst	Matthews	Schoepflin	Trainor
Carroll	Glenn	McDermott	Schulz, F.F.	Tuttle
Chambers	Gould	McNamee	Seibert	Van Amber
Chapman	Gray	Melody	Sheffield	Wells
Clark, F.E.	Herrman	Messiter	Smith, M.F.	Whittet
Conklin	Higbie	Mittnacht	Smith, S.W.	Wilcox
Coughlin	Hobbie	Nixon	Snyder	Wray
Cutler	Horton	O'Grady	Stadtfeld	Wyckoff
Dean	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 758) entitled "An act to amend certain sections of chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled An act to incorporate the city of Ogdensburg and the acts amending the same'" (Rec. No. 248), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stein
Babcock	Dinkelspiel	Keck	Parkhurst	Stevens
Baker	Dowling	Keleher	Porter	Stewart
Berry	Eldredge	Kelsey	Prescott	Stone
Braun	Fairbrother	Kern	Rider, J.J.	Sulzer
Brennan	Fish	Kneeland	Robbins	Terry, C W.
Burtis	Friday	La Petra	Robertson	Thompson
Burts	Fuller	Lawson	Robson	Thornton
Callahan	Gardiner	Lee	Roche	Tilton
Cassin	Gerst	Marrin	Scanlon	Trainor
Chambers	Glenn	Matthews	Schoepflin	Tuttle
Chapman	Gould	McKeon	Schulz, H	Van Amber
Clark, F.E.	Gray	McNamee	Seibert	Wells
Clark, J. H.	Herrman	Melody	Sheffield	Whittet
Conklin	Hobbie	Mittnacht	Smith, M.F.	Wilcox
Coughlin	Horton	Myers	Smith, S.W.	Wray
Cutler	Hotaling	Nixon	Stadtfeld	Wyckoff
Dean	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend section 1 of chapter 275 of the Laws of 1892, entitled 'An act to create a department of buildings in the city of New York, and to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in so far as the same relates to the fire and building departments of said city, and by adding a new section thereto, creating a bureau to be known as the bureau of fire alarm telegraph and electrical appliances, in relation to the salary to be paid the superintendent of buildings." (Int. No. 1012.)

"An act to amend sections 3, 8, 11, 12 and 13, of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the

streets, avenues, public places, wharves, piers and heads of slips in said city." (Int. No. 1104.)

"An act to authorize the rebuilding of a bridge over Newtown creek at Maspeth avenue by the counties of Kings and Queens, and providing the means therefor." (Int. No. 691.)

"An act to enable the city of Niagara Falls to acquire such lands as may be necessary to extend Pierce avenue in said city, from Whirlpool avenue easterly to Sugar street." (Int. No. 418.)

"An act to amend the railroad law, relating to construction of road in street where other road is built." (Int. No. 1084.)

"An act to amend the Code of Criminal Procedure, relating to review on appeal from minor courts." (Int. No. 974.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the powers and duties of the health department of the city of New York." (Int. No. 1225.)

"An act to incorporate the Niagara, Lockport and Ontario Power Company." (Int. No. 1073.)

"An act laying out an additional public park in the Twelfth ward of the city of New York and authorizing the taking of land for the same." (Int. No. 991.)

"An act making an appropriation for building a vertical wall on the berme side of the Erie canal in the city of Utica, between Gilbert street in the city of Utica and the Turner street bridge in said city of Utica." (Int. No. 796.)

"An act to provide for the annexation to the city of Brooklyn of the town of Flatbush, in Kings county." (Int. No. 535.)

"An act to authorize the Buffalo library to take and hold property for special purposes." (Int. No. 1310.)

"An act to amend chapter 279 of the Laws of 1833, entitled 'An act requiring mortgages of personal property to be filed in the town clerk's and other offices,' passed April 20, 1833, relating to validity of mortgages as against creditors." (Int. No. 1306.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'" (Int. No. 1286.)

"An act to authorize the town of Newtown, in Queens county,

to convey certain real estate, being a part of its common lands." (Int. No. 1308.)

"An act to amend chapter 391 of the Laws of 1893, entitled 'An act for the protection of purchasers of coal in cities of over 800,000 inhabitants and under 1,200,000 inhabitants, and providing for the enforcement thereof.'" (Int. No. 753.)

"An act to amend section 65 of title 2, chapter 3, part 4, of the Revised Statutes, relating to State prisons with respect to assistant clerk to take affidavits." (Int. No. 1394.)

"An act in relation to the village of Fredonia." (Int. No. 1148.)

"An act to amend the highway law, relating to the money system on repairs of highways." (Int. No. 1270.)

"An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city of New York.'" (Int. No. 1254.)

The Senate bill (No. 734), entitled "An act to amend section 23 of chapter 39 of the Laws of 1853, so amended by chapter 679 of the Laws of 1871, as to be entitled 'An act to supply the city of Watertown with pure and wholesome water, and for other purposes'" (Rec. No. 235), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 85 {
} NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	O'Grady	Stadtfeld
Babcock	Dowling	Keck	Parkhurst	Stein
Baker	Eldredge	Keleher	Porter	Stewart
Braun	Fairbrother	Kelsey	Prescott	Stone
Brennan	Fish	Kern	Rider, J.J.	Sulzer
Burtis	Friday	Kneeland	Robertson	Terry, J.F.
Butts	Fuller	Lasch	Robinson	Thompson
Callahan	Gardiner	Lawson	Robson	Thornton
Cassin	Gerst	Lee	Ryder, E.L.	Tilton
Chambers	Glenn	Lounsbury	Scanlon	Trainor
Clark, F.E.	Gould	Marrin	Schoepflin	Tuttle
Clark, J. H.	Gray	Matthews	Schulz, H	Van Amber
Conklin	Herrman	McNamee	Seibert	Wells

Coughlin	Higbie	Messiter	Sheffield	Whittet
Cutler	Hoefler	Mittnacht	Smith, M.F.	Wilcox
Dean	Hotaling	Myers	Smith, S.W.	Wray
Denniston	Houghton	Nixon	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 890), entitled "An act to regulate the sale of convict-made goods, wares and merchandise manufactured by convicts of other States" (Int. No. 322), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keleher	Prescott	Stadtfeld
Baker	Fairbrother	Kelsey	Rider, J.J.	Stein
Braun	Fish	Kern	Robbins	Stevens
Brennan	Friday	Kneeland	Robertson	Stewart
Brownell	Fuller	Lawson	Robson	Stone
Burtis	Gardiner	Lee	Roche	Taylor
Butts	Gerst	Lounsbury	Scanlon	Terry, J.F.
Callahan	Glenn	Matthews	Schoepflin	Thompson
Carroll	Gould	McKeon	Schulz, F.F.	Tilton
Chambers	Gray	Melody	Schulz, H	Trainor
Clark, F.E.	Higbie	Messiter	Seibert	Tuttle
Clark, J. H.	Hoefler	Mittnacht	Sheffield	Vacheron
Cutler	Horton	Myers	Sherwood	Wells
Dean	Hotaling	Nixon	Smith, M.F.	Whittet
Denniston	Houghton	O'Grady	Smith, S.W.	Wilcox
Dinkelspiel	Howe	Porter	Snyder	Wyckoff
Dowling	Keck			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1221), entitled "An act to amend section 23 of chapter 39 of the Laws of 1853, as amended by chapter 679 of the Laws of 1871, entitled 'An act to supply the city of Watertown with pure and wholesome water, and for other purposes'" (Int. No. 1080), having been announced for a third reading,

On motion of Mr. Fuller, said bill was laid aside.

The bill (No. 1537), entitled "An act authorizing the construction of an iron bridge over the Champlain canal at North street, in the village of Mechanicville, Saratoga county, and abutments and approaches thereto, and making an appropriation therefor" (Int. No. 152), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dowling	Howe	Parkhurst	Stadtfeld
Baker	Eldredge	Keck	Plant	Stein
Berry	Fairbrother	Keleher	Prescott	Stevens
Braun	Fish	Kelsey	Rider, J.J.	Stewart
Brennan	Friday	Kern	Robbins	Stone
Burtis	Fuller	Kneeland	Robertson	Taylor
Butts	Gardiner	Lawson	Robson	Terry, J.F.
Cahill	Gerst	Lee	Roche	Thompson
Callahan	Glenn	Marrin	Scanlon	Thornton
Carroll	Gould	Matthews	Schoepfin	Tilton
Chambers	Gray	McDermott	Schulz, F.F.	Trainor
Clark, F.E.	Hennessy	McNamee	Schulz, H	Tuttle
Clark, J. H.	Higbie	Melody	Sheffield	Vacheron
Coughlin	Hobbie	Messiter	Sherwood	Wells
Cutler	Hoefler	Mitnacht	Smith, M.F.	Whittet
Dean	Horton	Nixon	Smith, S.W.	Wieman
Denniston	Houghton	O'Grady	Snyder	Wyckoff
Douglas				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1233) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and acts amendatory thereof and supplemental thereto, relating to the board of education in the city of Brooklyn" (Int. No. 1093), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Porter	Stevens
Babcock	Fish	Kelsey	Prescott	Stewart
Baker	Friday	Kern	Rider, J.J.	Stone
Braun	Fuller	Kneeland	Robbins	Sulzer
Brownell	Gardiner	Lasch	Robertson	Taylor
Burtis	Gerst	Lawson	Robson	Terry, J.F.
Bush	Glenn	Lounsbury	Roche	Thompson
Cain	Gould	Marrin	Ryder, E.L.	Thornton
Callahan	Gray	Matthews	Schoepflin	Tilton
Chambers	Herrman	McDermott	Schulz, F.F.	Tobin
Clark, J. H.	Higbie	McNamee	Schulz, H	Tuttle
Conklin	Hobbie	Melody	Sheffield	Vacheron
Coughlin	Hoefer	Messiter	Sherwood	Van Amber
Cutler	Horton	Mittnacht	Smith, M.F.	Wells
Dean	Hotaling	Myers	Smith, S.W.	Whittet
Denniston	Houghton	Nixon	Snyder	Wilcox
Dinkelspiel	Howe	O'Grady	Stadtfeld	Wray
Dowling	Keck	Parkhurst	Stein	Wyckoff
Eldredge				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1469) entitled "An act relating to State finances, constituting chapter 10 of the general law" (Int. No. 225), having been announced for a third reading,

On motion of Mr. O'Grady, said bill was recommitted to the committee on ways and means.

The bill (No. 1129) entitled "An act to amend chapter 435, Laws of 1879, entitled 'An act in relation to the raising of funds for the relief of the poor of the town of Plattsburgh, in the county of Clinton,' passed May 30, 1879" (Int. No. 1061), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Howe	Porter	Stevens
Baker	Dowling	Keck	Prescott	Stewart
Braun	Eldredge	Keleher	Rider, J.J.	Stone
Brennan	Fairbrother	Kelsey	Robbins	Sulzer
Brownell	Fish	Kern	Robertson	Taylor
Burtis	Friday	Kneeland	Robson	Terry, J.F.
Butts	Fuller	Lasch	Roche	Thompson
Callahan	Gardiner	Lawson	Scanlon	Thornton
Cassin	Gerst	Lee	Schoepflin	Tilton
Chambers	Glenn	Lounsbury	Schulz, H.	Trainor
Chapman	Gould	Marrin	Seibert	Tuttle
Clark, F.E.	Gray	Matthews	Sheffield	Vacheron
Clark, J.H.	Herrman	Melody	Sherwood	Va'n Amber
Conklin	Higbie	Messiter	Smith, M.F.	Wells
Coughlin	Hobbie	Myers	Smith, S.W.	Wieman
Cutler	Hoefer	Nixon	Snyder	Wray
Dean	Horton	O'Grady	Stadtfeld	Wyckoff
Denniston	Houghton	Parkhurst	Stein	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brennan moved that the committee on affairs of cities be discharged from the further consideration of Senate bill No. 763, entitled "An act to amend chapter 600 of the Laws of 1893, entitled 'An act to reduce, confirm and levy certain assessments in the city of Albany, to provide for the payment thereof, and in relation to certain sales thereunder.'" (Rec. No. 322.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brennan moved to substitute said bill for Assembly bill No. 1287, Int. No. 1122, same title and subject, now on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 879) entitled "An act to amend chapter 347 of the Laws of 1890, entitled 'An act to provide for the payment of the cost and expenses of the construction of a trunk sewer on the east side of the Genesee river in the city of Rochester by the issue of bonds of said city, and providing for the payment of said bonds by local assessments,' and the several acts

amendatory thereof and supplementary thereto" (Rec. No. 376), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	O'Grady	Stadtfeld
Babcock	Dowling	Keleher	Parkhurst	Stein
Baker	Eldredge	Kerr	Porter	Stevens
Braun	Fairbrother	Kern	Prescott	Stewart
Brennan	Fish	Kneeland	Rider, J.J.	Stone
Brownell	Friday	Lawson	Robbins	Sulzer
Burtis	Fuller	Lee	Robertson	Terry, C.W.
Butts	Gardiner	Lounsbury	Robson	Thompson
Carroll	Gerst	Marrin	Roche	Thornton
Chambers	Glenn	Matthews	Ryder, E.L.	Tobin
Chapman	Gould	McDermott	Schillinger	Trainor
Clark, F.E.	Gray	McNamee	Schulz, F.F.	Vacheron
Clark, J. H.	Herrman	Melody	Schulz, H	Vehslage
Conklin	Higbie	Messiter	Seibert	Wells
Coughlin	Hoefler	Mittnacht	Sherwood	Wieman
Cutler	Horton	Myers	Smith, M.F.	Wilcox
Dean	Houghton	Nixon	Smith, S.W.	Wyckoff
Denniston	Howe			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1310), entitled "An act to amend the statutory construction law, in reference to the computation of days" (Int. No. 1133), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	O'Grady	Stadtfeld
Babcock	Eldredge	Keck	Parkhurst	Stein
Baker	Fairbrother	Keleher	Porter	Stevens

Braun	Fish	Kelsey	Prescott	Stewart
Brennan	Foley	Kern	Rider, J.J.	Stone
Brownell	Friday	Kneeland	Robbins	Sulzer
Burtis	Fuller	Lasch	Robertson	Terry, C.W
Butts	Gardiner	Lawson	Robson	Thorapson
Callahan	Gerst	Lee	Ryder, E.L.	Thornton
Carroll	Glenn	Marrin	Scanlon	Tilton
Chambers	Gould	Matthews	Schoepflin	Trainor
Clark, F.E.	Gray	McDermott	Schulz, F.F.	Tuttle
Clark, J. H.	Herrman	McNamee	Schulz, H	Van Amber
Coughlin	Higbie	Melody	Sheffield	Wells
Cutler	Hobbie	Messiter	Sherwood	Whittet
Davidson	Hoeffer	Mitnacht	Smith, M.F.	Wilcox
Dean	Horton	Myers	Smith, S.W.	Wyckoff
Denniston	Hotaling	Nixon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 103, entitled "An act to authorize the Dunkirk and Fredonia Railroad Company to supply light, heat, power, steam and electricity to persons or corporations renting buildings or rooms of and from the said company located on its power-house premises in the village of Fredonia, and also to supply the inhabitants with the same, and to receive pay therefor" (Int. No. 52), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1377) entitled "An act to amend the highway law, relating to commutation money for road district work" (Int. No. 1219), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Parkhurst	Snyder
Babcock	Douglas	Keleher	Plant	Stadtfield
Baker	Dowling	Kelsey	Porter	Stein
Berry	Fairbrother	Kern	Prescott	Stevens
Brennan	Fish	Kneeland	Reilly	Stewart
Brownell	Friday	Lawson	Robbins	Stone
Burtis	Fuller	Lee	Robertson	Terry, C.W.
Bush	Gardiner	Lounsbury	Robson	Thompson
Butts	Gerst	Marrin	Ryder, E.L.	Thornton
Callahan	Glenn	Matthews	Scanlon	Tilton
Carroll	Gray	McKeon	Schoepflin	Trainor
Cassin	Higbie	McNamee	Schulz, F.F.	Tuttle
Chambers	Hobbie	Melody	Schulz, H	Van Amber
Clark, F.E.	Hoefer	Messiter	Seibert	Wells
Clark, J. H.	Horton	Myers	Sherwood	Whittet
Conklin	Houghton	Nixon	Smith, M.F.	Wilcox
Cutler	Howe	O'Grady	Smith, S.W.	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1440) entitled "An act to amend chapter 195 of the Laws of 1848, entitled 'An act to provide for the taking of acknowledgments of deeds and other written instruments by persons residing out of the State of New York,' and acts amendatory thereof and supplemental thereto" (Int. No. 1262), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dean	Horton	O'Grady	Stadtfield
Baker	Denniston	Houghton	Parkhurst	Stein
Berry	Dinkelspiel	Howe	Porter	Stevens
Braun	Dowling	Keck	Reilly	Stewart
Brennan	Eldredge	Kelsey	Robbins	Stone
Brownell	Fairbrother	Kern	Robertson	Sulzer
Burtis	Fish	Kneeland	Robson	Taylor
Bush	Foley	Lawson	Ryder, E.L.	Thompson

Butts	Friday	Lee	Scanlon	Thornton
Cain	Fuller	Lounsbury	Schoepflin	Tilton
Callahan	Gardiner	Marrin	Schulz, F.F.	Trainor
Carroll	Gerst	Matthews	Schulz, H	Tuttle
Chambers	Glenn	McKeon	Seibert	Vacheron
Chapman	Gould	Melody	Sheffield	Van Amber
Clark, F.E.	Gray	Messiter	Sherwood	Wells
Clark, J. H.	Herrman	Mitnacht	Smith, M.F.	Wieman
Conklin	Higbie	Myers	Smith, S.W.	Wilcox
Coughlin	Hobbie	Nixon	Snyder	Wyckoff
Davidson	Hoefler			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Keck moved to take from the table the motion to reconsider the vote by which the bill (No. 1254) entitled "An act to provide for the incorporation of medical societies in the several counties set apart in this State since the passage of the act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813" (Int. No. 1118), was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dean	Horton	O'Grady	Stadtfeld
Baker	Denniston	Houghton	Parkhurst	Stein
Berry	Dinkelspiel	Howe	Porter	Stewart
Braun	Dowling	Keck	Prescott	Stone
Brennan	Eldredge	Kelsey	Reilly	Taylor
Brownell	Fairbrother	Kern	Robbins	Thompson
Burtis	Fish	Kneeland	Robertson	Thornton
Bush	Friday	Lawson	Robson	Tilton
Butts	Fuller	Lee	Ryder, E.L.	Trainor
Callahan	Gardiner	Lounsbury	Scanlon	Tuttle
Carroll	Gerst	Marrin	Schoepflin	Vacheron
Cassin	Glenn	Matthews	Schulz, F.F.	Van Amber
Chambers	Gould	McNamee	Seibert	Wells

Clark, F.E.	Gray	Melody	Sheffield	Whittet
Clark, J. H.	Herrman	Messiter	Smith, M.F.	Wilcox
Conklin	Higbie	Myers	Smith, S.W.	Wyckoff
Cutler	Hobbie	Nixon	Snyder	

Said bill having been announced for a third reading,

Mr. Keck moved that the same be amended as follows:

Page 2, line 2, after the word "act" insert the words "now enjoy and possess."

Same page, line 16, after the word "passed" insert the words "and now in force."

Same page, line 17, strike out the words "to regulate."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Howe	O'Grady	Stadtfield
Baker	Douglas	Keck	Parkhurst	Stein
Berry	Dowling	Keleher	Plant	Stevens
Braun	Eldredge	Kelsey	Porter	Stewart
Brennan	Fairbrother	Kern	Prescott	Stone
Brownell	Fish	Kneeland	Reilly	Terry, C.W.
Burtis	Foley	Lawson	Robbins	Thompson
Bush	Friday	Lee	Robertson	Thornton
Butts	Fuller	Lounsbury	Robson	Tilton
Cahill	Gardiner	Marrin	Scanlon	Trainor
Callahan	Gerst	Matthews	Schillinger	Tuttle
Carroll	Glenn	McDermott	Schoepflin	Vacheron
Chambers	Gould	McNamee	Schulz, H	Van Amber
Chapman	Gray	Melody	Seibert	Wells
Clark, F.E.	Herrman	Messiter	Sherwood	Whittet
Clark, J. H.	Higbie	Mittnacht	Smith, M.F.	Wieman
Conklin	Hobbie	Myers	Smith, S.W.	Wilcox
Cutler	Horton	Nixon	Snyder	Wyckoff
Dean	Houghton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1376), entitled "An act to amend chapter 356 of

the Laws of 1889, entitled 'An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn' " (Int. No. 1217), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	88	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Grady	Stein
Babcock	Denniston	Howe	Parkhurst	Stevens
Baker	Douglas	Keck	Porter	Stewart
Berry	Dowling	Keenan	Reilly	Stone
Braun	Eldredge	Kelsey	Robbins	Taylor
Brennan	Fairbrother	Kern	Robertson	Terry, J.F.
Burtis	Fish	Kneeland	Robson	Thompson
Bush	Friday	Lawson	Ryder, E.L.	Thornton
Butts	Fuller	Lee	Scanlon	Tilton
Cain	Gardiner	Lounsbury	Schoepflin	Trainor
Callahan	Gerst	Marrin	Schulz, F.F.	Tuttle
Carroll	Glenn	Matthews	Schulz, H	Vacheron
Chambers	Gould	McDermott	Seibert	Van Amber
Chapman	Gray	McNamee	Sheffield	Wells
Clark, F.E.	Harrigan	Melody	Sherwood	Whittet
Clark, J. H.	Higbie	Messiter	Smith, S.W.	Wieman
Conklin	Hobbie	Mittnacht	Stadtfeld	Wyckoff
Cutler	Horton	Nixon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth gave notice that to-morrow morning at 11 o'clock he would move a call of the House.

The bill (No. 901) entitled "An act to amend the county law, relating to powers of boards of supervisors with reference to tires on wagons" (Int. No. 827), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
 { NOES 16 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Hoefler	Prescott	Taylor
Babcock	Dean	Horton	Robertson	Terry, C.W.
Baker	Denniston	Hotaling	Robinson	Terry, J.F.
Berry	Dinkelspiel	Keck	Robson	Thompson
Braun	Douglas	Keenan	Roche	Thornton
Brennan	Dowling	Kelsey	Scanlon	Tilton
Brownell	Eldredge	Kerr	Schoepflin	Trainor
Burtis	Fairbrother	Kern	Schulz, H	Tuttle
Butts	Fish	Kneeland	Seibert	Vacheron
Cain	Friday	La Fetra	Sheffield	Van Amber
Callahan	Fuller	Lawson	Sherwood	Vehslage
Carroll	Gar diner	Lounsbury	Smith, M.F.	Wells
Chambers	Gerst	Messiter	Smith, S.W.	Whittet
Chapman	Gould	Myers	Snyder	Wieman
Clark, F.E.	Gray	Nixon	Stevens	Wilcox
Clark, J. H.	Herrman	O'Grady	Stewart	Wray
Conklin	Higbie	Parkhurst	Stone	Wyckoff
Coughlin	Hobbie	Porter	Sulzer	

Those who voted in the negative, were

Bush	Hennessy	Lasch	Melody	Schulz, F.F.
Corrigan	Keleher	Marrin	Reilly	Stadtfeld
Foley	Kerrigan	McDermott	Ryder, E.L.	Stein
Harrigan				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 992) entitled "An act to amend section 3 of chapter 137 of the Laws of 1877, entitled 'An act to incorporate the library and reading-room of the village of Port Chester, in Westchester county'" (Int. No. 906), having been announced for a third reading,

On motion of Mr. Berry, said bill was laid aside.

By unanimous consent,

Mr. Stevens introduced a bill entitled "An act to authorize payments for sales of certain lands by the commissioners of the land office to be credited to the Adirondack park special fund, and making appropriation from such fund" (Int. No. 1486), which was read the first time and referred to the committee on ways and means.

The bill (No. 1374), entitled "An act to amend chapter 583 of

the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the fire department" (Int. No. 1215), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Howe	Parkhurst	Stein
Baker	Dowling	Keck	Porter	Stevens
Berry	Eldredge	Kelsey	Prescott	Stewart
Braun	Fairbrother	Kern	Rider, J.J.	Stone
Brownell	Foley	Kneeland	Robbins	Sulzer
Burtis	Friday	Lawson	Robertson	Terry, C.W.
Bush	Fuller	Lee	Robson	Thompson
Butts	Gardiner	Lounsbury	Ryder, E.L.	Thornton
Callahan	Gerst	Marrin	Scanlon	Tilton
Carroll	Glenn	Matthews	Schoepflin	Trainor
Chambers	Gould	McDermott	Schulz, H	Tuttle
Clark, F.E.	Gray	McNamee	Seibert	Vacheron
Clark, J.H.	Herrman	Melody	Sheffield	Van Amber
Conklin	Higbie	Messiter	Sherwood	Wells
Coughlin	Hobbie	Myers	Smith, S.W.	Whittet
Cutler	Hoefer	Nixon	Snyder	Wieman
Dean	Houghton	O'Grady	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1386) entitled "An act to amend the highway law, relating to laying out highways upon line between town and city or village" (Int. No. 1228), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dowling	Kelsey	Porter	Stevens
Baker	Eldredge	Kern	Prescott	Stewart
Braun	Fairbrother	Kneeland	Robbins	Stone

Brennan	Fish	Lawson	Robertson	Sulzer
Brownell	Fuller	Lee	Robson	Terry, C.W.
Burtis	Gardiner	Lounsbury	Roche	Thompson
Butts	Gerst	Marrin	Scanlon	Thornton
Callahan	Glenn	Matthews	Schoepflin	Tilton
Carroll	Gould	McKeon	Schulz, F.F.	Trainor
Chambers	Gray	McNamee	Seibert	Tuttle
Chapman	Herrman	Melody	Sherwood	Vacheron
Clark, J. H.	Higbie	Messiter	Smith, M.F.	Van Amber
Conklin	Hobbie	Myers	Smith, S.W.	Wells
Cutler	Horton	Nixon	Snyder	Whittet
Dean	Houghton	O'Grady	Stadtfeld	Wilcox
Denniston	Howe	Friday	Stein	Wyckoff
Dinkelspiel	Keck	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1367) entitled "An act to further extend and amend chapter 67 of the Laws of 1845, entitled 'An act to incorporate the Wandowenock Fire Hook and Ladder Company'" (Int. No. 1203), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	89	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefler	Nixon	Stadtfeld
Babcock	Denniston	Horton	O'Grady	Stein
Baker	Dinkelspiel	Houghton	Parkhurst	Stewart
Braun	Dowling	Howe	Porter	Stone
Brennan	Eldredge	Keck	Reilly	Terry, C.W.
Brownell	Fairbrother	Kelsey	Rider, J.J.	Terry, J.F.
Burtis	Fish	Kern	Robertson	Thompson
Bush	Friday	Kneeland	Robson	Thornton
Butts	Fuller	Lawson	Roche	Tilton
Cain	Gardiner	Lee	Scanlon	Trainor
Callahan	Gerst	Lounsbury	Schillinger	Tuttle
Carroll	Glenn	Marrin	Schulz, F.F.	Vacheron
Chambers	Gould	Matthews	Schulz, H	Van Amber
Chapman	Gray	McDermott	Seibert	Wells
Clark, F.E.	Harrigan	McNamee	Sheffield	Whittet
Clark, J. H.	Herrman	Melody	Smith, M.F.	Wilcox
Conklin	Higbie	Messiter	Smith, S.W.	Wyckoff
Cutler	Hobbie	Mitnacht	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented the annual report of the Northern New York Institution for Deaf-Mutes; which was laid upon the table and ordered printed.

(See Document.)

The privileges of the floor were extended to Hon. Richard Nagle, a former member of the House.

The Senate returned the bill (No. 1385) entitled "An act to provide for the serial publication, without expense to the State, of the decisions of certain courts as soon as handed down" (Int. No. 1229), with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill (No. 629), entitled "An act relative to the New York and Brooklyn bridge" (Rec. No. 165), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 64 }
{ NOES 48 }

Those who voted in the affirmative, were

Ainsworth	Gerst	Kneeland	Schoepflin	Thompson
Baker	Gould	Lawson	Schulz, H	Thornton
Braun	Gray	Lee	Seibert	Tilton
Brownell	Higbie	Matthews	Sheffield	Tuttle
Burtis	Hobbie	Messiter	Sherwood	Vacheron
Chambers	Hoefer	Nixon	Smith, M.F.	Van Amber
Conklin	Horton	O'Grady	Smith, S.W.	Wells
Denniston	Hotaling	Parkhurst	Snyder	Whittet
Eldredge	Houghton	Porter	Stevens	Wilcox
Fairbrother	Howe	Prescott	Stevens	Wray
Fish	Keck	Robbins	Stone	Wyckoff
Friday	Kelsey	Robertson	Terry, C.W.	Speaker
Gardiner	Kern	Robson	Terry, J.F.	

Those who voted in the negative, were

Berry	Corrigan	Herrman	McDermott	Roche
Brennan	Coughlin	Hoysradt	McKeon	Schillinger
Bush	Davidson	Keenan	Melody	Southworth

Butts	Dinkelspiel	Keleher	Mittnacht	Stadtfeld
Cahill	Dowling	Kerr	Myers	Stein
Cain	Finnigan	Kerrigan	O'Donnell	Sulzer
Callahan	Foley	La Fetra	Plant	Tobin
Carroll	Gleason	Lasch	Reilly	Trainor
Cassin	Harrigan	Loonan	Robinson	Vehslage
Chapman	Hennessey	Marrin		

Mr. Wray, moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour having arrived, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

The bill (No. 1223) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to the opening of streets and avenues in the Twenty-third and Twenty-fourth wards and the department of public works of the city of New York" (Int. No. 1082), having been announced for a third reading,

On motion of Mr. Robertson, said bill was laid aside.

The bill (No. 1543) entitled "An act to open a certain part of State street in the city of Brooklyn, as laid down on the commissioners' map of said city, from the westerly side of Furman street to the river, and in relation to the improvements of said street" (Int. No. 1213), having been announced for a third reading,

On motion of Mr. Cahill, said bill was laid aside.

The Senate bill (No. 457) entitled "An act to encourage and to promote the professional training of teachers" (Rec. No. 222), having been announced for a third reading,

Mr. O'Grady moved to amend said bill as follows:

Section 1, line 2, after the word "city" insert the words "except the city of New York."

Section 4, line 25, after the word "not" insert the words "completed a three years' course in, and."

Same section, line 6, after the word "instruction" insert the

words "nothing in this act shall be construed to restrict any board of education from requiring such additional qualifications of teachers as said board may determine; nor shall the provisions of this act preclude the board of education of any city or village from accepting the diploma of any State normal and training school of the State of New York, or a State certificate obtained on examination in this State, as an equivalent for the preparation in scholarship and professional training herein required."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Coughlin	Howe	Myers	Snyder
Baker	Cutler	Keck	O'Donnell	Stein
Berry	Davidson	Keleher	O'Grady	Stone
Brennan	Dean	Kelsey	Plant	Thompson
Brownell	Denniston	Kern	Rider, J.J.	Tilton
Burtis	Dinkelspiel	Kerrigan	Robertson	Tobin
Bush	Fairbrother	Kneeland	Robinson	Tuttle
Cain	Fish	La Petra	Robson	Vacheron
Callahan	Foley	Lasch	Roche	Van Amber
Carroll	Friday	Lawson	Scanlon	Wells
Cassin	Fuller	Lee	Schoepflin	Whittet
Chapman	Gould	Loonan	Schulz, F.F.	Wilcox
Clark, F.E.	Hennessy	Matthews	Schulz, H	Wray
Clark, J. H.	Higbie	McDermott	Seibert	Wyckoff
Conklin	Hoefer	Melody	Sherwood	Speaker
Corrigan	Horton	Messiter	Smith, M.F.	

Ordered that the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1693) entitled "An act to secure a more equitable and complete assessment of all taxable property of the State" (Int. No. 388), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1594) entitled "An act to authorize the common

council of the city of Buffalo to transfer Front avenue to the board of park commissioners as a park approach" (Int. No. 1374), was read the second time.

On motion of Mr. Seibert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1696), entitled "An act authorizing the clerk of the Assembly to cause to be printed and distributed copies of the game law" (Int. No. 1374), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1688), entitled "An act to establish the Collins Farm State Homeopathic Hospital for the Insane" (Int. No. 921), was read the second time.

On motion of Mr. Whittet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 850), entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to district courts" (Int. No. 785), was read the second time.

On motion of Mr. Davidson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 857) entitled "An act for the release of any interest of the State in certain lands in the city of Buffalo to Henry Koons" (Int. No. 792), was read the second time.

On motion of Mr. Coughlin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1289) entitled "An act in relation to proceedings for the voluntary dissolution of corporations, and providing for relief from defects and omissions therein" (Int. No. 1124), was read the second time.

On motion of Mr. Harrigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1663) entitled "An act in relation to canal-boat mortgages" (Int. No. 1427), was read the second time.

On motion of Mr. Schoepflin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1694) entitled "An act to amend chapter 318 of the Laws of 1893, entitled 'An act to establish an institution for

the care and custody of unteachable idiots' " (Int. No. 1460), was read the second time.

On motion of Mr. Porter, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (not printed) entitled "An act to amend chapter 135 of the Laws of 1894, entitled 'An act in relation to funds and property formerly in the custody of the court of chancery' " (Rec. No. 344), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading.

The Senate bill (No. 864) entitled "An act to amend the legislative law " (Rec. No. 335), was read the second time.

On motion of Mr. J. J. Rider, said bill was placed on the order of third reading.

The bill (No. 1702) entitled "An act to amend section 2869 of the Code of Civil Procedure, relating to jurisdiction of justices of the peace" (Int. No. 1360), was read the second time.

On motion of Mr. Chambers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1442) entitled "An act empowering the northside water commissioners of a fire district in a part of the town of Waterford, county of Saratoga, State of New York, to contract with electric light companies organized under the laws of this State or with any person or persons, for lighting the streets and public highways in said district, and providing for the payment therefor by assessment, levy and collection thereof, upon the taxable property of such district" (Int. No. 1264), was read the second time.

On motion of Mr. J. F. Terry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1700) entitled "An act to regulate the compelling of the attendance and testimony of witnesses, amending section 867 of the Code of Civil Procedure" (Int. No. 1255), was read the second time.

On motion of Mr. Gleason, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1615) entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages' " (Int. No. 1375), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1701) entitled "An act for the preservation of wild deer in the county of Sullivan" (Int. No. 1097), was read the second time.

On motion of Mr. Messiter, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1701) entitled "An act to provide a new pumping-house, pumping-engines and conduit, with appurtenances thereto, for the purpose of supplying the city of Albany with an increased supply of water" (Int. No. 840), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1638), entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to contracts" (Int. No. 1402), was read the second time.

On motion of Mr. Burtis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1456), entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1210), having been announced for a second reading,

Mr. Butts moved that said bill be made a special order at half-past 5 this afternoon, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1470) entitled "An act to provide for the construction of a bridge over the Mott Haven canal at One Hundred and Thirty-eighth street, in the city of New York" (Int. No. 1226), was read the second time.

On motion of Mr. Marrin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1516) entitled "An act to amend subdivision 8 of the twenty-first paragraph of section 194 of chapter 310 of the Laws of 1862, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the

city of New York,' in relation to St. John's Guild" (Int. No. 1317), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 753) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Int. No. 702), having been announced for a second reading,

On request of Mr. Corrigan, said bill was laid aside.

The bill (No. 1620) entitled "An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown'" (Int. No. 1380), was read the second time.

On motion of Mr. Dean, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (1640) entitled "An act respecting the offices of the keeper and assistant keeper of the hall of records in the city of Brooklyn, county of Kings" (Int. No. 1404), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1648) entitled "An act to amend section 5 of chapter 413 of the Laws of 1892, entitled 'An act to provide for the construction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city'" (Int. No. 1412), was read the second time.

On motion of Mr. Davidson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1141) entitled "An act to provide for the annexation of the county towns of Kings county to the city of Brooklyn, and to merge the city and county government" (Int. No. 1006), having been announced for a second reading,

Mr. Wray moved that said bill be laid aside.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time, placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1632) entitled "An act in relation to Pacific

street in the city of Brooklyn" (Int. No. 1398), was read the second time.

On motion of Mr. Friday, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1577) entitled "An act to provide for the issue of bonds for the extension of that portion of Van Cortlandt park designated as a military parade, camp and drill ground in the city of New York" (Int. No. 1339), was read the second time.

On motion of Mr. Roche, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1660) entitled "An act in relation to the extension and improvement of Liberty avenue in the city of Brooklyn" (Int. No. 1424), was read the second time.

On motion of Mr. Scanlon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1639) entitled "An act in relation to Marcy avenue in the city of Brooklyn" (Int. No. 1493), was read the second time.

On motion of Mr. F. E. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1631), entitled "An act to amend subdivision 2 of section 2862 of the Code of Civil Procedure, relative to jurisdiction of justices' courts" (Int. No. 1392), was read the second time.

On motion of Mr. Dowling, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1548), entitled "An act to amend chapter 277 of the Laws of 1889, entitled 'An act to amend chapter 420 of the Laws of 1880, entitled An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company'" (Int. No. 1349), was read the second time.

On motion of Mr. Cutler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1672) entitled "An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the firemen's association of the State of New York'" (Int. No. 1436), was read the second time.

On motion of Mr. Keenan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1674) entitled "An act to release George Hyme, John Kilgour and David Kilgour, all the right, title and interest of the people of the State of New York, in and to certain real estate in the city of Brooklyn, county of Kings and State of New York" (Int. No. 1437), was read the second time.

On motion of Mr. Burtis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1593) entitled "An act for the relief of Wesley S. Yard" (Int. No. 1378), was read the second time.

On motion of Mr. Marrin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1656) entitled "An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures'" (Int. No. 1420), was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1654) entitled "An act to amend chapter 217 of the Laws of 1879, entitled 'An act in relation to oil wells,' as amended by chapter 64 of the Laws of 1882, so as to embrace gas wells" (Int. No. 1418), was read the second time.

On motion of Mr. Cahill, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1371) entitled "An act to authorize the city of Brooklyn to construct a public pier at the foot of State street in the city of Brooklyn, and to acquire land necessary for the same, and to provide for the payment therefor" (Int. No. 1012), having been announced for a second reading,

Mr. Wray moved that said bill be recommitted to the committee on affairs of cities for a further hearing, retaining its place on the order of second reading.

Mr. Cahill moved that said bill be ordered to a third reading and recommitted to the committee on affairs of cities for a further hearing, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Cahill, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Wray, and it was determined in the affirmative.

The bill (No. 1517) entitled "An act to establish and settle the

pierhead and bulkhead lines along the easterly side of New York harbor, at Bay Ridge, in the town of New Utrecht, in the county of Kings" (Int. No. 1318), having been announced for a second reading,

On request of Mr. Finnigan, said bill was laid aside.

The bill (No. 1574) entitled "An act to provide for the incorporation of associations for lending money on personal property" (Int. No. 1335), having been announced for a second reading,

Mr. Hennessy moved to recommit said bill to the committee on general laws, with instructions to strike out the enacting clause.

Mr. Schoepflin moved to lay said motion upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Schoepflin, and it was determined in the affirmative.

The bill (No. 1576) entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims arising from the grant by the State to Archibald McIntyre, individually, and as executor, and his successors in interest and subsequent grantees and owners and their personal representatives" (Int. No. 1337), was read the second time.

On motion of Mr. Horton, said bill was placed on the order third reading and referred to the committee on revision.

Mr. Wray called from the table the bill (No. 1517), entitled "An act to establish and settle the pierhead and bulkhead lines along the easterly shore of New York harbor, at Bay Ridge, in the town of New Utrecht, in the county of Kings" (Int. No. 1318), previously laid aside on the order of second reading.

Said bill was then read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1684) entitled "An act to provide conditional compensation for teachers of the common schools in any town of the State who have taught therein continuously twenty-five years or more" (Int. No. 1448), was read the second time.

On motion of Mr. Baker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1652) entitled "An act to repeal an act entitled 'An act to fix the compensation of assessors in the several towns

of Ulster county,' passed May 12, 1865 " (Int. No. 1416), was read the second time.

On motion of Mr. Lounsbury, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Fish in the chair.

The bill (No. 1623) entitled "An act to authorize John Rigeman, Jr., of the town of Lockport, to sell and convey the cemetery grounds situated on the farm owned by him in said town " (Int. No. 1383), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1650) entitled "An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law, and to incur an indebtedness for the grading, macadamizing and improving of highways in said town " (Int. No. 1414), was read the second time.

On motion of Mr. Harrigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1680) entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof " (Int. No. 1444), was read the second time.

On motion of Mr. McNamee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1625) entitled "An act to locate the office of the clerk of the town of Ausable " (Int. No. 1385), was read the second time.

On motion of Mr. Baker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1627) entitled "An act to amend chapter 305 of the Laws of 1891, entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Bath-on-the-Hudson, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts '" (Int. No. 1388), was read the second time.

On motion of Mr. Cassin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1687) entitled "An act in relation to the destruction by fire and heat of all animal and vegetable refuse and

garbage in towns and villages having over 10,000 inhabitants" (Int. No. 1456), was read the second time.

On motion of Mr. Cassin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1333) entitled "An act to provide for the payment of the salary of John A. Stemmler, as justice of the district court in the city of New York, for the seventh judicial district" (Int. No. 1178), was read the second time.

On motion of Mr. Stadtfeld, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 684) entitled "An act confining jurisdiction in the Board of Claims to hear and determine the claim of John Bray, for injuries sustained by him at the hands of a convict at Auburn State prison while on duty as a keeper in said prison" (Rec. No. 309), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

The Senate bill (No. 775) entitled "An act to enable 'The Board of Church Extension of the Methodist Episcopal Church,' to take, hold and convey property in the State of New York" (Rec. No. 313), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 826) entitled "An act to repeal chapter 391 of the Laws of 1886" (Rec. No. 263), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

The Senate bill (No. 929) entitled "An act to incorporate the Home Church Extension Board, of Onondaga Conference Methodist Protestant Church" (Rec. No. 316), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 631) entitled "An act to amend section 4 of chapter 4, of Laws of 1891, excepting certain parks and streets from route for an elevated railroad" (Rec. No. 339), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading.

The Senate bill (No. 738) entitled "An act to legalize certain municipal securities" (Rec. No. 224), was read the second time.

On motion of Mr. Brownell, said bill was placed on the order of third reading.

Half-past 5 o'clock having arrived,

Mr. Speaker announced the special order being the bill (No. 1456) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants.'" (Int. No. 1210.)

Said bill having been announced for a second reading,

Mr. Butts moved to amend the same as follows:

Page 8, line 8, strike out the word "maximum."

Same page, line 10, after the word "property" insert the words "But the rate of fare for any passenger on said railway from any point on the same northward or southward within the city of New York shall not exceed five cents under any provision of this act."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer moved to amend said bill as follows:

Strike out section 1 and insert the following:

"§ 1. In each city having over 1,000,000 inhabitants, according to the last preceding national or State census, where there shall be a board of rapid transit commissioners appointed under and pursuant to some provision of law, shall have the further and additional powers than those confirmed upon said commission by virtue of the existing law."

Strike out section 2.

Debate was had thereon, when

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Sulzer, and it was determined in the negative.

{ AYES 49 }
{ NOES 67 }

Those who voted in the affirmative, were

Berry	Chapman	Hennessey	McDermott	Ryder, E.L.
Brennan	Corrigan	Herrman	McKeon	Schillinger
Burtis	Coughlin	Hoysradt	Melody	Schulz, F.F.
Bush	Davidson	Keenan	Mittnacht	Southworth

Butts	Dinkelspiel	Keleher	Myers	Stadtfeld
Cahill	Dowling	Kerrigan	O'Donnell	Stein
Cain	Finnigan	La Fetra	Plant	Sulzer
Callahan	Foley	Lasch	Reilly	Tobin
Carroll	Gleason	Loonan	Robinson	Vehslage
Cassin	Harrigan	Marrin	Roche	

Those who voted in the negative, were

Ainsworth	Friday	Kneeland	Schoepflin	Terry, J.F.
Babcock	Fuller	Lawson	Schulz, H	Thompson
Baker	Gardiner	Lee	Seibert	Thornton
Braun	Gerst	Lounsbury	Sheffield	Tilton
Brownell	Gould	Matthews	Sherwood	Tuttle
Chambers	Higbie	Messiter	Smith, M.F.	Vacheron
Clark, J. H.	Hobbie	Nixon	Smith, S.W.	Van Amber
Conklin	Hoefler	O'Grady	Snyder	Wells
Cutler	Horton	Prescott	Stevens	Whittet
Denn	Hotaling	Rider, J.J.	Stewart	Wilcox
Denniston	Howe	Robbins	Stone	Wray
Eldredge	Keck	Robertson	Taylor	Wyckoff
Fairbrother	Kelsey	Robson	Terry, C.W.	Speaker
Fish	Kern			

Mr. Gardiner moved to amend said bill as follows:

Page 2, line 2, after the word "Orr" insert the words "John H. Starin."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer moved to strike out the words "Samuel D. Babcock" and insert the words "William Steinway."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the second time, placed on the order of third reading, and referred to the committee on revision.

The Senate returned the bill (not printed) entitled "An act to provide for collection of taxes assessed in the name of deceased persons" (Int. No. 1474), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The hour of 6.30 P. M. having arrived, the House adjourned.

WEDNESDAY, APRIL 18, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Martin Flipse.

On motion of Mr. Dean, the journal of yesterday was approved without being read.

Mr. Keck moved to correct the calendar of to-day on page 14 by changing the name of the introducer of the bill (No. 1389) entitled "An act to provide for the assessment and collection of the expense of removal of snow and ice from the sidewalks of public streets and avenues in the city of New York" (Int. No. 1233) from Mr. Keck to Mr. Stein.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The privileges of the floor were granted to Messrs. Philip Wissig, Lewis J. Conlin, Thomas J. McManus and Mortimer Wade, former members of this House, and to Hon. John H. Ketcham, M. C.

Mr. Thornton asked that the time for the judiciary committee to make report on the matter relating to Mr. Schillinger's claim to have voted on the bill (No. 556) entitled "An act for the appointment of additional factory inspectors" (Int. No. 522) be extended to Friday morning next and that the majority and minority have leave to report at that time.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Mr. Speaker announced the calendar of the day.

The bill (No. 1646) entitled "An act to enable the city of Albany to procure additional land for park purposes" (Int. No. 1410), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 777) entitled "An act to amend the county law" (Rec. No. 290), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 591) entitled "An act to amend the Penal Code" (Rec. No. 210), was read the second time.

On motion of Mr. Foley, said bill was placed on the order of third reading.

The Senate bill (No. 397) entitled "An act further to extend the time within which the Troy and New England Railway Company shall begin the construction of its railroad and expend thereon ten per cent of its capital" (Rec. No. 217), was read the second time.

On motion of Mr. Chambers, said bill was placed on the order of third reading.

Mr. Ainsworth called from the table the bill (No. 171) entitled "An act to regulate assessments and to provide for home rule in taxation" (Int. No. 176), previously laid aside on the order of second reading.

Debate being had thereon, when

Mr. Prescott moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the second time.

Mr. Ainsworth moved that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 54 }
{ NOES 65 }

Those who voted in the affirmative, were

Ainsworth	Coughlin	Houghton	O'Donnell	Sheffield
Berry	Cutler	Keenan	Plant	Smith, S.W.
Brennan	Davidson	Kerrigan	Porter	Stadtfeld
Butts	Dinkelspiel	Kneeland	Reilly	Stein
Cahill	Finnigan	Lasch	Roche	Sulzer
Cain	Friday	Lawson	Ryder, E.L.	Taylor
Callahan	Gleason	Loonan	Scanlon	Tobin
Carroll	Gray	Marrin	Schillinger	Vehslage
Clark, F E.	Hennessy	McKeon	Schulz, F.F.	Whittet
Conklin	Herrman	Melody	Schulz, H	Wieman
Corrigan	Hoefler	Mittnacht	Seibert	

Those who voted in the negative, were

Babcock	Fairbrother	Keck	Parkhurst	Stone
Baker	Fish	Keleher	Prescott	Terry, C.W.
Braun	Foley	Kelsey	Rider, J.J.	Terry, J.F.
Brownell	Fuller	Kerr	Robbins	Thompson
Bush	Gardiner	La Fetra	Robertson	Thornton

Cassin	Gerst	Lounsbury	Robson	Tilton
Chambers	Glenn	Matthews	Schoepflin	Tuttle
Chapman	Gould	McDermott	Sherwood	Vacheron
Clark, J. H.	Higbie	McNamee	Smith, M.F.	Van Amber
Dean	Horton	Messiter	Snyder	Wilcox
Denniston	Hotaling	Myers	Southworth	Wray
Dowling	Howe	Nixon	Stevens	Wyckoff
Eldredge	Hoysradt	O'Grady	Stewart	Speaker

A communication from the Governor was received and read, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 18, 1894.*

To the Assembly :

I have the honor to transmit herewith the report of the Board of General Managers of the Exhibit of the State of New York at the World's Columbian Exposition.

ROSWELL P. FLOWER.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following :

Resolved, That there be printed on super size and calendered paper, for the use of the present Legislature and State officials, 10,000 copies of the report of the Board of General Managers of the New York State Exhibit at the World's Columbian Exposition. Of this number 4,000 copies shall be for the use of the Legislature, twenty-five to each member, 2,000 copies for the Governor, 2,000 copies for the State officials and reporters and 2,006 copies for the aforesaid Board of General Managers. The expense for the same shall be paid out of money appropriated for Legislative printing.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly elected to voting in favor thereof.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keleher	Parkhurst	Stein
Babcock	Dowling	Kelsey	Porter	Stevens
Baker	Fairbrother	Kerr	Prescott	Stewart
Berry	Finnigan	Kern	Reilly	Stone
Braun	Fish	Kerrigan	Robbins	Sulzer
Brennan	Foley	Kneeland	Robertson	Taylor
Brownell	Friday	Lasch	Robinson	Terry, C.W.

Burtis	Gardiner	Lawson	Robson	Terry, J. F.
Butts	Gerst	Lounsbury	Roche	Thompson
Cahill	Glenn	Loonan	Scanlon	Thornton
Cain	Gould	Marrin	Schillinger	Tilton
Callahan	Gray	Matthews	Schoepflin	Trainor
Cassin	Hennessy	McDermott	Schulz, F.F.	Tuttle
Chapman	Higbie	McKeon	Schulz, H	Vacheron
Clark, J. H.	Hobbie	McNamee	Seibert	Van Amber
Conklin	Hoefler	Melody	Sheffield	Vehslage
Corrigan	Hotaling	Messiter	Sherwood	Wells
Cutler	Howe	Mittnacht	Smith, M.F.	Wieman
Davidson	Hoysradt	Myers	Smith, S.W.	Wilcox
Dean	Keck	O'Donnell	Snyder	Wray
Dinkelspiel	Keenan	O'Grady	Southworth	Wyckoff

Mr. Marrin offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 41, entitled "An act providing for the record of documents relating to real estate in the Twenty-third and Twenty-fourth wards of the city of New York" (Int. No. 44), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate bill (No. 901) entitled "An act to provide for the building of a pier between certain streets in the city of Brooklyn" (Rec. No. 328), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend the banking law, relating to reports to depositors." (Int. No. 1216.)

"An act to amend the banking law, relating to securities in which deposits may be invested." (Int. No. 1048.)

"An act to amend chapter 231 of the Laws of 1876, entitled 'An act to make the office of supervisor in the county of Erie a salaried office and to provide for the apportionment and compensation of the officers of said board.'" (Int. No. 1353.)

"An act to amend the county law, relating to salary of the county judge of Montgomery county." (Int. No. 1126.)

"An act to regulate the employment of prison labor in the manufacture of brooms and brushes made of broom-corn." (Int. No. 746.)

"An act to provide for the care and support by the State of pauper Indians." (Int. No. 1284.)

"An act authorizing the construction of wheelways along highways." (Int. No. 1145.)

"An act to provide for the assessment and collection of the expense of removal of snow and ice from the sidewalks of public streets and avenues in the city of New York." (Int. No. 1233.)

"An act to amend chapter 248 of the Laws of 1875, entitled 'An act in relation to coroners' fees and post-mortem examinations in Erie county.'" (Int. No. 1199.)

"An act to amend chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property.'" (Int. No. 1367.)

"An act to amend chapter 361 of the Laws of 1884, entitled 'An act to establish a State Board of Pharmacy, and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie.'" (Int. No. 1189.)

"An act to amend chapter 104 of the Laws of 1872, entitled 'An act in relation to trustees and directors of charitable and benevolent institutions.'" (Int. No. 1273.)

"An act to amend the Penal Code, in relation to criminal charges against children." (Int. No. 620.)

"An act to amend chapter 314 of the Laws of 1858, entitled 'An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes.'" (Int. No. 1361.)

"An act to amend the Code of Civil Procedure, relating to regulating action when brought by wife." (Int. No. 767.)

"An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport.'" (Int. No. 1268.)

"An act to amend chapter 200 of the Laws of 1873, entitled 'An act to amend the charter of the village of Addison, in the county of Steuben,' as amended by chapter 511 of the Laws of 1884." (Int. No. 1309.)

"An act to provide for a hearing of the claims of William Lockman and Carey Devery, for work and services performed for the State under the direction of the quarantine officials, and to make an award therefor." (Int. No. 1265.)

"An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city.'" (Int. No. 1304.)

"An act relative to persons holding the office of justice of the peace." (Int. No. 1261.)

"An act to amend the Code of Civil Procedure, relating to recovery of chattels." (Int. No. 1227.)

"An act to amend the Code of Civil Procedure, relating to attachments." (Int. No. 1430.)

"An act to extend the drill-hall and rifle-range and make certain additions to the State armory in the village of Mohawk, county of Herkimer, and making an appropriation therefor." (Int. No. 261.)

"An act in relation to Pierrepont street, Remsen street and Kent street, in the city of Brooklyn." (Int. No. 1343.)

"An act to authorize the making of compensation for damages to property occasioned by the change of grade of streets adjacent thereto, in the Eighth ward in the city of Brooklyn." (Int. No. 1320.)

"An act for the relief of Sophia G. Vandervoort widow of Charles Vandervoort, deceased, her successors or assigns." (Int. No. 1034.)

"An act to incorporate the 'Children's Aid Society of Rochester.'" (Int. No. 1387.)

"An act to amend the Code of Civil Procedure, relating to the granting of attachments in certain actions." (Int. No. 1346.)

"An act for the relief of certain churches in the Twenty-third ward of the city of New York." (Int. No. 1358.)

"An act authorizing the improvement and repairs of the Rocky Rift feeder and dam in the Mohawk river, and making appropriation therefor." (Int. No. 1359.)

"An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 198 of the Laws of 1892.'" (Int. No. 1238.)

"An act to amend chapter 463 of the Laws of 1860, entitled

'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof." (Int. No. 1325.)

"An act to amend the Revised Statutes, relating to temporary relief of the poor." (Int. No. 1141.)

"An act to repeal chapter 353 of the Laws of 1893, entitled 'An act for the preservation of the public peace, the protection of private property, maintenance of law and order, the licensing of public hacks, vehicles, venders, shows, concerts and public amusements in the town of Flatlands in the county of Kings.'" (Int. No. 1335.)

"An act in relation to New York avenue in the city of Brooklyn." (Int. No. 1292.)

"An act reappropriating an unexpended balance for the State Industrial School at Rochester." (Int. No. 1372.)

"An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claims against the State of New York of James Brennan and other employes of the State, upon public works, for unpaid balances due for services rendered, under chapter 380, Laws of 1889, from June 6, 1889, to April 29, 1890, and to make an award therefor." (Int. No. 946.)

"An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of school-houses and the payment of debts contracted for the purchase of land for school purposes." (Int. No. 1302.)

"An act empowering the supervisor and commissioner of highways of the town of Plattsburg to purchase a stone crusher and to provide for the working of highway assessments in connection therewith." (Int. No. 1326.)

"An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' as amended by chapter 70 of the Laws of 1881." (Int. No. 1340.)

"An act making an appropriation for the payment of expenses of a convention to revise and amend the Constitution of the State." (Int. No. 1324.)

"An act to ratify and confirm the constitution of the Seneca nation of Indians, adopted on the 13th day of January, 1893." (Int. No. 1250.)

"An act to amend chapter 51 of the Laws of 1870, entitled 'An act to amend the act for the incorporation of benevolent,

charitable, scientific and missionary societies, passed April 12, 1848.'” (Int. No. 1303.)

“An act to prevent the drawing of seines, and to protect spawning beds in Croton bay, south of Croton Point.” (Int. No. 200.)

“An act making an appropriation for repairing the culvert under the Oswego canal at Mud creek, in the First ward of Syracuse, and for deepening the bed and walling the banks of the creek from the culvert to Onondaga lake.” (Int. No. 807.)

“An act to prohibit the killing, wounding, catching and pursuit of wild animals, wild birds and fish, and attempts thereat in the State of New York by persons not citizens of the United States, without a license therefor.” (Int. No. 1159.)

“An act conferring jurisdiction upon the Board of Claims to hear and determine the claims of Milton B. Jarvis against the State of New York, and to make an award therefor.” (Int. No. 949.)

“An act to amend chapter 602 of the Laws of 1892, entitled ‘An act to secure the registration of plumbers and supervision of plumbing and drainage in the cities of the State of New York.’” (Int. No. 569.)

“An act to amend chapter 818 of the Laws of 1868, entitled ‘An act to incorporate the village of Port Chester.’” (Int. No. 589.)

Mr. Fish presented the following report :

To the Honorable the Legislature of the State of New York :

Your special committee duly appointed to represent the Legislature at the funeral services of the Hon. David Dudley Field, and to inscribe a suitable memoir to be entered upon the journal of this House, do respectfully report that in connection with similar committees appointed by the Bar Association of the State of New York and the Alumni Association of Williams College, they attended such services at the Calvary Episcopal Church, in the city of New York, and have prepared and hereby submit the following brief summary of the life and work of that distinguished jurist.

David Dudley Field was born at Haddam, in the State of Connecticut, on the 13th day of February, 1805, and died in the city of New York on the 13th day of April, 1894. He received from his father, a noted clergyman of the same name, the foundation elements of an education second to none in the world's history. At the age of 16 he entered Williams College, from

which he graduated with honors four years later. In 1828, at the age of 23, he was admitted to the practice of law. For two-thirds of a century he was a member and for over half a century one of the leaders of the New York bar. His legal practice was noted for great learning, indomitable courage, a perfect mastery of details and an intuitive comprehension of the salient points of attack and defense. He united in himself the skill and bravery of a Napoleon, with the tact and perseverance of a Bismarck. But great and memorable though his victories at the forum undoubtedly were, it is in the higher capacity as a jurist that the world will place upon his memory the crown of immortality. His life-work is impressed upon the statute books of two continents, translated into ten languages, and will eventually supersede all methods of legal procedure.

Although for some inscrutable reason the Legislature of this State has never formally adopted his Civil Code, the Codes of Civil Procedure and Criminal Procedure, and the Penal Code, form a part of our system of law, the former being the foundation of similar system in all the new States, in Great Britain and most of her provinces; and is gradually supplanting the former practice in the older States of America and Europe.

It must not be forgotten that David Dudley Field was not a mere codifier of existing laws. He was the creator of new systems of practice. In this respect he was greater than Napoleon, whose code merely modernized and localized the pandects and institutes of Justinian; greater than Justinian who did but mirror the commentaries of Gaius and the precedents of intervening centuries; greater even than Moses who simply inscribed that wonderful system of laws, framed and promulgated by Divinity for the guidance of his chosen people.

To Mr. Field are we indebted, more than to any living American, more than to any other jurist, living or dead, for molding the profession of law into a system embodying the accuracy and symmetry of a progressive science.

From Chitty, the greatest commentator of common law practice, to Field is from darkness to sunlight, from the obscurity of tangled webs of fictions to the simplicity of concise statements of fact. Mr. Field breathed into the dormant body of ancient precepts the breath of life and practice became a living reality. He wedded the hitherto discordant elements of law and equity and no man has since dared to divorce or sunder them.

In some respects the jurist is more than a lawyer, greater than a judge. The practitioner points out and the court enforces existing rights; the jurist created new rights and new methods of enforcement.

In this, as well as in the domain of actual practice, David Dudley Field may well be classed the *facile princeps* and the Nestor of the American bar.

We esteem it, therefore, wise at the end of a successful career

closing only in death to inscribe this tribute upon the journals of the Legislature, which through his instrumentality has taught to the world a system of laws so beneficent, so symmetrical and so perfect as to bring lasting honor to the author and credit to the State.

HAMILTON FISH.
WILLIAM SULZER.
HOWARD THORNTON.
VICTOR J. DOWLING.
ROBERT P. BUSH.
S. F. KNEELAND.
WILLIAM H. FRIDAY.
EPINETUS HOWE.
SAMUEL J. FOLEY.

Mr. Fish moved that the report be adopted and entered on the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Plant	Stein
Babcock	Dowling	Keleher	Prescott	Stevens
Baker	Eldredge	Kelsey	Rider, J.J.	Stewart
Berry	Fairbrother	Kern	Robbins	Sulzer
Braun	Finnigan	Kerrigan	Robertson	Taylor
Brennan	Fish	Kneeland	Robinson	Terry, C W.
Burtis	Foley	La Fetra	Robson	Terry, J.F.
Bush	Friday	Lasch	Roche	Thompson
Butts	Fuller	Lawson	Ryder, E.L.	Thornton
Cain	Gardiner	Lounsbury	Scanlon	Tilton
Callahan	Gerst	Marrin	Schillinger	Tobin
Carroll	Gleason	Matthews	Schoepflin	Trainor
Chambers	Glenn	McDermott	Schulz, F.F.	Vacheron
Chapman	Gould	McKeon	Schulz, H	Van Amber
Clark, F.E.	Gray	McNamee	Seibert	Vehslage
Clark, J. H.	Harrigan	Melody	Sheffield	Wells
Conklin	Hennessy	Messiter	Sherwood	Whittet
Corrigan	Herrman	Mittnacht	Smith, M.F.	Wieman
Cutler	Hoefer	Myers	Smith, S.W.	Wilcox
Davidson	Horton	Nixon	Snyder	Wray
Dean	Hotaling	O'Donnell	Southworth	Wyckoff
Dinkelspiel	Houghton	O'Grady	Stadtfeld	Speaker

Mr. Sheffield gave notice that at 11 o'clock to-morrow morning he would move a call of the House.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following:

Resolved, That no person shall hereafter speak more than once upon any one question, and not to exceed five minutes, except by unanimous consent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 41, entitled "An act providing for the record of documents relating to real estate in the Twenty-third and Twenty-fourth wards of the city of New York" (Int. No. 44), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to provide for the serial publication, without expense to the State, of the decisions of certain courts as soon as handed down." (No. 1358, Int. No. 1229.)

"An act in relation to the construction and maintenance of division ditches." (No. 445, Int. No. 422.)

Ordered, That the Clerk deliver said bills to the Governor.

The hour of 12 o'clock having arrived,

Mr. Speaker announced the special order of the day, being the Senate bill (No. 971), entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of police commissioners in said city" (Rec. No. 331), for a second and third reading.

Said bill having been announced for a second reading,

Mr. Sulzer moved to strike out the first section for the purpose of an explanation.

Mr. Kern in the chair.

Mr. Thornton moved to amend said bill as follows:

Page 2, line 11, after the word "commissioners" insert the words "each of whom shall have been a resident of said city for at least one year immediately prior to his appointment."

Same page, line 16, after the word "qualified" insert the words "and who shall be paid an annual salary of \$5,000 each."

Page 3, at the end of line 13, insert the words "and the said

board of police, or a majority of them, shall have the power at any time, upon charges preferred in writing, and after trial before said board, to remove for cause the superintendent of police, and appoint a successor to such superintendent."

Same page, line 21, strike out all after the word "the" down to and including the word "captain," and insert the words "uniformed force below the rank of inspector."

Mr. Hennessy wished the ruling of the chair on the question whether the five minute rule under the resolution of Mr. Ainsworth adopted this morning, applies to the debate on the bill now under discussion.

The chair ruled that it did.

Mr. Speaker then put the question on the motion of Mr. Thornton, and it was determined in the affirmative.

{ AYES 75 {
{ NOES 49 {

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robertson	Taylor
Baker	Fuller	Kern	Robson	Terry, C.W.
Braun	Gardiner	Kneeland	Scanlon	Terry, J.F.
Brownell	Gerst	Lawson	Schoepflin	Thompson
Burtis	Glenn	Lee	Schulz, F.F.	Thornton
Chambers	Gould	Lounsbury	Schulz, H	Tilton
Clark, F.E.	Gray	Matthews	Seibert	Tuttle
Clark, J. H.	Higbie	Messiter	Sheffield	Vacheron
Conklin	Hobbie	Nixon	Sherwood	Van Amber
Cutler	Hoefler	O'Grady	Smith, M.F.	Wells
Dean	Horton	Parkhurst	Smith, S.W.	Whittet
Denniston	Hotaling	Porter	Snyder	Wieman
Eldredge	Houghton	Prescott	Stevens	Wilcox
Fairbrother	Howe	Rider, J.J.	Stewart	Wray
Fish	Keck	Robbins	Stone	Wyckoff

Those who voted in the negative, were

Berry	Corrigan	Hennessy	Marrin	Robinson
Brennan	Coughlin	Herrman	McDermott	Roche
Bush	Davidson	Hoysradt	McKeon	Schillinger
Butts	Dinkelspiel	Keenan	McNamee	Southworth
Cahill	Douglas	Keleher	Melody	Stadtfeld
Cain	Dowling	Kerr	Mittnacht	Stein
Callahan	Finnigan	Kerrigan	Myers	Sulzer
Carroll	Foley	La Fetra	O'Donnell	Tobin
Cassin	Gleason	Lasch	Plant	Vehslage
Chapman	Harrigan	Loonan	Reilly	

Said bill was then read the second time.

Mr. Thornton moved that said bill as amended be ordered to a third reading.

Mr. Sulzer raised the point of order that said bill having been materially amended in committee and on second reading, under Rule 26 could not be ordered to a third reading without first being printed.

Mr. Sulzer then read the first paragraph of said rule in the words following:

"Rule 26. All bills, whether introduced in the House or communicated by message from the Senate shall, after their first reading, be referred to a standing or select committee, to consider and report thereon. Such committee may report any bill, either with or without amendments, or they may report against the same. All bills reported favorably or for consideration, if reported with amendments, shall be immediately printed, and the amendments proposed by the committee shall be printed in Roman, except in cases where the committee recommend striking out certain words, in which case they shall be printed 'stricken through.'"

The Chair ruled the point of order not well taken.

Mr. Sulzer appealed from the decision of the Chair.

Mr. Thornton moved to lay the appeal upon the table.

Mr. Speaker resumed the chair.

Mr. Ainsworth—A point of order has been decided, from which Mr. Sulzer appeals. A motion is made to lay that appeal on the table. A suggestion is made that the motion to lay the appeal on the table carries the bill with it. I do not so understand it. Do you?

The Chair—I do not.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Thornton to lay the appeal of Mr. Sulzer upon the table, and it was determined in the affirmative.

{ AYES 75 }
{ NOES 49 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robertson	Terry, C.W.
Baker	Fuller	Kern	Robson	Terry, J.F.
Braun	Gardiner	Kneeland	Scanlon	Thompson
Brownell	Gerst	Lawson	Schoepflin	Thornton
Burtis	Glenn	Lee	Schulz, F.F.	Tilton
Chambers	Gould	Lounsbury	Schulz, H	Tuttle

Clark, F.E.	Gray	Matthews	Seibert	Vacheron
Clark, J. H.	Higbie	Messiter	Sheffield	Van Amber
Conklin	Hobbie	Nixon	Sherwood	Wells
Cutler	Hoefer	O'Grady	Smith, M.F.	Whittet
Dean	Horton	Parkhurst	Smith, S.W.	Wieman
Denniston	Hotaling	Porter	Snyder	Wilcox
Eldredge	Houghton	Prescott	Stevens	Wray
Fairbrother	Howe	Rider, J.J.	Stewart	Wyckoff
Fish	Keck	Robbins	Taylor	Speaker

Those who voted in the negative, were

Berry	Corrigan	Hennessy	Marrin	Roche
Brennan	Coughlin	Herrman	McDermott	Ryder, E.L.
Bush	Davidson	Hoysradt	McKeon	Schillinger
Butts	Dinkelspiel	Keenan	McNamee	Southworth
Cahill	Douglas	Keleher	Melody	Stadtfeld
Cain	Dowling	Kerr	Mitnacht	Stein
Callahan	Finnigan	Kerrigan	Myers	Sulzer
Carroll	Foley	La Fetra	O'Donnell	Tobin
Cassin	Gleason	Laseh	Plant	Vehslage
Chapman	Harrigan	Loonan	Robinson	

Mr. Sulzer raised the point of order: "It is well settled parliamentary practice, in regard to the precedent—I appeal to Cushing's Manual, to Robert's Manual, to Jefferson's Manual, and to Tom. Reed's Rules, that a motion made to reconsider any matter, and also where there is an appeal from the decision of the chair on any matter which is laid on the table, it carries with it the subject matter, unless the subject-matter has gone out of the possession of the House. If the subject-matter has gone out of the possession of the House—

Mr. Speaker—The chair will hold that.

Mr. Sulzer—Then I claim the ruling just made takes also the subject-matter.

Mr. Speaker—The subject-matter before the House is the point of order raised by the gentleman from New York. That subject-matter was laid upon the table and not the bill.

Mr. Speaker then put the question on the motion of Mr. Thornton, to order said bill to a third reading, and it was determined in the affirmative.

Pending the further consideration of said bill,

Mr. Ainsworth moved that the time of the session be extended until the bill pending was disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill being then announced for a third reading,

Debate being had thereon.

Mr. Hennessy raised the point of order that the bill had not been under consideration half an hour.

Mr. Speaker — That rule has been suspended by another rule of the House. The point of order is not well taken. The Chair holds that if any one cares to discuss it under the five minute rule they may do so.

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 50 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Robson	Terry, C W.
Babcock	Fuller	Kneeland	Scanlon	Terry, J.F.
Baker	Gardiner	Lawson	Schoepflin	Thompson
Braun	Gerst	Lee	Schulz, F.F.	Thornton
Brownell	Glenn	Lounsbury	Schulz, H	Tilton
Burtis	Gould	Matthews	Seibert	Tuttle
Chambers	Gray	Messiter	Sheffield	Vacheron
Clark, F.E.	Higbie	Nixon	Sherwood	Van Amber
Clark, J. H.	Hobbie	O'Grady	Smith, M.F.	Wells
Conklin	Hoefer	Parkhurst	Smith, S.W.	Whittet
Cutler	Horton	Porter	Snyder	Wieman
Dean	Hotaling	Prescott	Stevens	Wilcox
Denniston	Houghton	Rider, J.J.	Stewart	Wray
Eldredge	Howe	Robbins	Stone	Wyckoff
Fairbrother	Keck	Robertson	Taylor	Speaker
Fish	Kelsey			

Those who voted in the negative, were

Berry	Corrigan	Hennessy	Marrin	Robinson
Brennan	Coughlin	Herrman	McDermott	Roche
Bush	Davidson	Hoysradt	McKeon	Ryder, E.L.
Butts	Dinkelspiel	Keenan	McNamee	Schillinger

Cahill	Douglas	Keleher	Melody	Southworth
Cain	Dowling	Kerr	Mittnacht	Stadtfeld
Callahan	Finnigan	Kerrigan	Myers	Stein
Carroll	Foley	La Fetra	O'Donnell	Sulzer
Cassin	Gleason	Lasch	Plant	Tobin
Chapman	Harrigan	Loonan	Reilly	Vehslage

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The hour of 1.30 having arrived, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

Mr. J. F. Terry moved that the rules be suspended so as to enable the committee on revision to report several bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act for the relief of Wesley S. Yard." (No. 1593, Int. No. 1378.)

"An act in relation to Marcy avenue, in the city of Brooklyn." (No. 1639, Int. No. 1493.)

"An act respecting the offices of the keeper and assistant keeper of the hall of records in the city of Brooklyn, county of Kings." (No. 1640, Int. No. 1404.)

"An act in relation to Pacific street, in the city of Brooklyn." (No. 1632, Int. No. 1393.)

"An act to provide for the payment of the salary of John A. Stemmler, as justice of the district court in the city of New York for the seventh judicial district." (No. 1333, Int. No. 1178.)

"An act in relation to the destruction by fire or heat of all animal and vegetable refuse and garbage in towns and villages having over 10,000 inhabitants." (No. 1687, Int. No. 1456.)

"An act to locate the office of the clerk of the town of Ausable." (No. 1625, Int. No. 1385.)

"An act to establish and settle the pierhead and bulkhead lines

along the easterly shore of New York harbor, at Bay Ridge, in the town of New Utrecht, in the county of Kings." (No. 1517, Int. No. 1318.)

Ordered, That said bills be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1674) entitled "An act to release to George Hyne, John Kilgour and David Kilgour all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn, county of Kings and State of New York" (Int. No. 1438), reported the same with the recommendation that it be amended as follows :

Page 3, line 1, strike out the word "nterests" and insert the word "interests."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1684), entitled "An act to provide conditional compensation for teachers of common schools in any town of the State who have taught therein continuously twenty-five years or more" (Int. No. 1448), reported the same with the recommendation that it be amended as follows :

Page 1, line 4, change the word "accruing" to "occurring."

Page 2, line 9, after the word "money" insert the word "shall."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1648) entitled "An act to amend section 5 of chapter 413 of the Laws of 1892, entitled 'An act to provide for the construction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city'" (Int. No. 1418), reported the same with the recommendation that it be amended as follows :

Page 2, line 1, strike out the letter "n" from the word "monanlty."

Amend the title by striking out the words "section five of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1516), entitled "An act to amend subdivision 8 of the 21st paragraph of section 194 of chapter 410 of the Laws of 1862, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to Saint John's Guild" (Int. No. 1317), reported the same with the recommendation that it be amended as follows:

Amend the title by striking out the words "subdivision 8 of the 21st paragraph of section 194 of;" line 4, change the word "sixty" to the word "eighty."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1638) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to contracts" (Int. No. 1402), reported the same with the recommendation that it be amended as follows:

Page 2, line 6, change the word "at" to the word "of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1615) entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages'" (Int. No. 1375), reported the same with the recommendation that it be amended as follows:

Page 1, line 8, change the word "collection" to "collector."

Page 2, line 14, change the word "treasurers" to the word "treasurer."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1712) entitled "An act to authorize the village of Johnstown, in the county of Fulton, to issue and to sell bonds of the said village, and use the proceeds thereof to pay its existing indebtedness" (Int. No. 1469), reported the same with the recommendation that it be amended as follows:

Strike out all after the enacting clause and substitute the following:

"Section 1. The board of trustees of the village of Johnstown, Fulton county, is hereby authorized to issue bonds of said village in denomination of not less than fifty dollars each, to an amount not exceeding \$5,000, which should bear interest at a rate not exceeding five per centum per annum, payable annually. The principal of said bonds shall be payable, one-half in five years, and one-half eight years from the date of issue; and the proceeds from the sale thereof shall be applied in payments of the existing indebtedness of said village. Said bonds when issued shall be signed by the president and trustees or a majority of the trustees of said village, and shall be valid obligations of the village of Johnstown; they may be sold at public or private sale as the board of trustees shall determine, at the best price obtainable, but not less than par. To provide for the payment of the interest and principal of said bonds as the same becomes due and payable the board of trustees shall cause to be raised in the annual tax levy from the taxable property in said village the amount required for such purpose in any one year; and when paid said bonds shall be canceled by said board. Due entry of the issuance of said bonds shall be made in a book kept for such purpose by the treasurer of said village, who shall take receipt for the payment of any moneys arising from the sale of said bonds as the same shall be made and applied to discharge the indebtedness of said village. The interest and principal of said bonds shall be made payable at such bank in the village of Johnstown, or other financial institution in this State duly incorporated, as the president and board of trustees may designate and appoint.

"2. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to authorize the village of Johnstown, in the county of Fulton, to issue its bonds for the payment of existing indebtedness."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was

referred the bill (No. 1141) entitled "An act to provide for the annexation of the county towns of Kings county to the city of Brooklyn and to merge the city and county governments" (Int. No. 1006), reported the same with the recommendation that it be amended as follows:

Page 2, line 5, strike out the word "five" and insert the word "three."

Page 3, line 3, change the word "maper" to "mayor."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1576) entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims arising from the grant by the State to Archibald McIntyre, individually, and as executor, and his successors in interest and subsequent grantees and owners and their personal representatives" (Int. No. 1337), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, change the word "claim" to "claims."

Amend the title by changing the word "subsequent" to "subsequent" in line 5; also, after last word "representatives" insert a comma and the words "and to make an award therefor."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1650), entitled "An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law and to incur an indebtedness for the grading, macadamizing and improving of highways in said town" (Int. No. 1414), reported the same with the recommendation that it be amended as follows:

Page 1, line 6, strike out the words "article one."

Same page, line 7, strike out the words "chapter nineteen of the general laws, known as" and insert the word "of."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1702) entitled "An act to amend section 2869 of the Code of Civil Procedure, relating to jurisdiction of justices of the peace" (Int. No. 1360), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, strike out the first word "of" and insert the word "in."

Amend the title so as to read as follows:

"An act to amend the Code of Civil Procedure, relating to jurisdiction of justices of the peace."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1470), entitled "An act to provide for the construction of a bridge over the Mott Haven canal at One Hundred and Thirty-eighth street, in the city of New York" (Int. No. 1226), reported the same with the recommendation that it be amended as follows:

Page 2, line 2, add the letter "s" to the word "improvement."

Page 3, line 5, after the word "dollars" insert a comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1631), entitled "An act to amend subdivision 2 of section 2862 of the Code of Civil Procedure, relative to jurisdiction of justices' courts" (Int. No. 1392), reported the same with the recommendation that it be amended as follows:

Page 1, line 8, strike out the word "immediately" and insert the words "September 1, 1894."

Amend the title so as to read as follows:

"An act to amend the Code of Civil Procedure, relative to jurisdiction of justices' courts."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1652) entitled "An act to repeal an act entitled 'An act to fix the compensation of assessors in the several towns of Ulster county,' passed May 12, 1865" (Int. No. 1416), reported the same, with the recommendation that it be amended as follows:

Page 1, line 2, strike out the word "for" and insert the words "five, entitled 'An act to fix the compensation of assessors in the several towns of Ulster county.'"

Amend the title so as to read as follows:

"An act to repeal chapter 707 of the Laws of 1865, entitled 'An act to fix the compensation of assessors in the several towns of Ulster county.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1442) entitled "An act empowering the northside water commissioners of a fire district in a part of the town of Waterford, county of Saratoga, State of New York, to contract with electric light companies organized under the laws of this State, or with any person or persons, for lighting the streets and public highways in said district, and providing for the payment therefor by assessment, levy and collection thereof upon the taxable property of such district" (Int. No. 1264), reported the same, with the recommendation that it be amended as follows:

Page 1, lines 2 and 3, strike out the words "State of New York."

Same page, lines 3 and 4, strike out the words "for a term of one year or more."

Page 2, line 14, strike out the words "this act shall take effect immediately" and insert the words "none of the provisions of this act shall in any manner apply to that portion of said fire district lying easterly and southerly of the Champlain canal."

Add the following new section:

"§ 6. This act shall take effect immediately."

Amend the title by striking out the words "State of New York" in line 3.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1470) entitled "An act to revise the charter of the city of Watertown" (Int. No. 1200), reported the same with the recommendation that it be amended as follows :

Page 12, line 26, strike out the word "apointed" and insert the word "appointed."

Page 14, line 6, strike out the word "ordinance" and insert the word "ordinaries."

Same page, line 21, strike out the word "ball" and insert the word "bowling."

Page 15, line 1, strike out the word "ball" and insert the word "bowling."

Same page, line 9, after the word "substance" strike out the comma.

Same page, line 16, after the word "manufactories" strike out the comma.

Page 22, line 11, strike out the word "proceeds" and insert the word "process."

Page 24, line 21, strike out the word "securities" and insert the word "sureties."

Page 25, line 5, strike out the word "and" and begin next word "when" with a capital "W."

Same page, line 25, strike out the word "and" and capitalize the next word "the."

Page 26, line 1, strike out the word "and" and insert the word "or."

Same page, line 16, strike out the word "but" and capitalize the next word "after."

Same page, line 18, strike out the word "pail" and insert the word "jail."

Page 27, line 18, strike out the word "And" and capitalize the next word "when."

Page 31, line 10, change the word "recirder's" to "recorder's."

Page 32, line 14, strike the letter "s" from the word "officers."

Page 33, line 9, strike the letter "s" from the word "officers."

Same page, line 13, strike out the comma after the word "trial."

Page 35, line 14, strike out the comma after the word "effect."

Page 36, line 4, strike out the comma after the word "found."

Same page, line 10, strike out the comma after the word "require," and strike the letter "s" from the word "officers."

Same page, line 16, strike out the comma after the word "property."

Page 37, line 19, strike out the comma after the word "himself."

Same page, line 20, strike out the comma after the word "fees," and also after the word "therefor."

Same page, line 21, strike out the comma after the word "office."

Same page, line 25, strike out the comma after the word "actions."

Page 38, line 10, strike out the comma after the word "orders."

Page 42, line 8, after the first word "of" insert the word "the."

Same page, line 14, change the word "ecorder" to "recorder."

Page 43, line 12, strike out the word "But" and capitalize the "when."

Same page, line 19, strike out the words "But should" and insert the word "It."

Same page, line 23, strike out the comma after the word "disqualified."

Same page, line 25, strike out the comma after the word "act."

Page 44, strike out the comma after the word "peace;" also, strike out the words "shall be disabled in section forty-seven" and insert the words "mentioned in section forty-seven shall be disabled."

Same page, line 9, after the word "the" insert the word "said."

Same page, line 10, after the word "actions" insert a comma.

Same page, line 13, strike out the word "are" and insert the words "shall be."

Same page, line 17, strike out the word "and."

Page 48, line 1, before the word "of" insert the word "time."

Same page, line 20, strike out the word "interst" and insert the word "interest."

Page 51, line 26, after the word "refusing" strike out the comma.

Page 54, line 23, after the word "found" insert a colon.

Page 55, line 15, after the word "electors" insert a comma.

Page 56, line 15, strike out the word "lant" and insert the word "lane."

Page 61, line 24, strike out the word "tht" and insert the word "the."

Page 63, line 4, strike out the word "mounts" and insert the word "amounts."

Page 68, line 2, strike out the word "tounty" and insert the "county."

Page 70, line 6, after the word "grant" insert the word "the."

Page 72, line 12, change the word "poprietors" to "proprietors."

Page 73, line 8, change the word "grouns" to "grounds."

Page 77, line 9, conjoin the word "da y."

Page 79, line 16, insert a comma after the word "act."

Page 81, line 21, add the letter "s" to the word "assessor."

Page 82, line 4, strike out the letter "a" from the word "annual."

Same page, line 5, change the word "inter" to "interested."

Same page, lines 6 and 7, strike out all of line 6 after the word "some" and all of line 7 up to and including the word

"void," and insert the words "but if they annul the same then all the proceedings of the assessors in relation thereto should be void."

Page 83, line 1, strike out the comma after the word "filing."

Page 1, line 10, strike out the words "third title" and insert the words "general corporation law, as far as applicable except subdivisions 4 and 5 of section 11 and section 30 of said law."

Same page, strike out lines 11 and 12.

Page 2, line 1, strike out the words "the fifth, ninth and tenth sections of said title."

Page 6, line 22, change the word "officers" to the word "offices."

Page 92, line 7, strike out the word "That" and capitalize the next word "this," and change the word "is" to the word "shall."

Same page, line 16, change the word "has" to the word "had."

Same page, line 21, change the figure "20" to the figure "19."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Harrigan gave notice that at some future time he would move to suspend rules 3, 15, 16, 17, 28, 29 and 49, for the purpose of having Assembly bill No. 1475, entitled "An act relative to the issue of bonds for street improvements in the city of Yonkers," have its second and third readings; also, for the purpose of having Assembly bill No. 1483, entitled "An act to authorize the city of Yonkers to borrow money and issue bonds for the payment of its indebtedness," have its second and third readings.

The Senate bill (No. 946) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to reporting deaths, births and marriages" (Rec. No. 345), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading.

The Senate bill (No. 933) entitled "An act making a reappropriation for the erection of a State armory in the city of Utica" (Rec. No. 301), was read the second time.

On motion of Mr. Hoefler, said bill was placed on the order of third reading.

The Senate bill (No. 937) entitled "An act to reappropriate money for the erection of a State armory in the city of Cohoes, as provided in chapter 377 of the Laws of 1888, and as reappropriated by

chapter 75 of the Laws of 1890, and as reappropriated by chapter 464 of the Laws of 1892, with an additional appropriation" (Rec. No. 300), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading.

The bill (No. 1478) entitled "An act to amend chapter 464 of the Laws of 1888, entitled 'An act to amend chapter 312 of the Laws of 1884, entitled An act respecting the employment of honorably discharged Union soldiers and sailors in the public service in the State of New York'" (Int. No. 912), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	O'Donnell	Stadtfeld
Babcock	Finnigan	Kerr	O'Grady	Stevens
Baker	Fish	Kerr	Porter	Sulzer
Braun	Friday	Kerrigan	Prescott	Terry, C.W.
Brownell	Fuller	Kneeland	Rider, J.J.	Terry, J.F.
Bush	Gardiner	Lawson	Robbins	Thompson
Butts	Gerst	Lee	Robertson	Thornton
Cain	Gleason	Lounsbury	Robinson	Tilton
Carroll	Glenn	Matthews	Robson	Tuttle
Cassin	Gould	McDermott	Roche	Vacheron
Clark, F.E.	Harrigan	McKeon	Scanlon	Van Amber
Conklin	Higbie	McNamee	Schillinger	Vehslage
Corrigan	Hobbie	Melody	Schoepflin	Whittet
Coughlin	Hoeffer	Messiter	Schulz, F.F.	Wieman
Davidson	Hotaling	Mittnacht	Sherwood	Wilcox
Dean	Howe	Myers	Smith, S.W.	Wray
Dinkelspiel	Keck	Nixon	Southworth	Wyckoff
Dowling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Thornton in the chair.

The bill (No. 1362) entitled "An act creating town boards for the purpose of adjusting assessments on real estate arising from unjust assessments" (Int. No. 1196), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
{ NOES 51 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Kerr	Nixon	Sheffield
Babcock	Fairbrother	Kern	O'Donnell	Smith, S.W.
Berry	Finnigan	Kneeland	O'Grady	Southworth
Brennan	Fish	Lasch	Porter	Stadtfeld
Butts	Friday	Lawson	Reilly	Stevens
Cain	Fuller	Lee	Rider, J.J.	Stewart
Carroll	Gerst	Lounsbury	Robinson	Taylor
Cassin	Gleason	McDermott	Roche	Terry, C.W.
Chapman	Herrman	McKeon	Scanlon	Terry, J.F.
Clark, F.E.	Higbie	McNamee	Schillinger	Tuttle
Clark, J.H.	Hotaling	Melody	Schoepflin	Vacheron
Conklin	Howe	Messiter	Schulz, F.F.	Vehslage
Cutler	Hoysradt	Mittnacht	Schulz, H	Whittet
Davidson	Keleher	Myers	Seibert	Wieman
Dean				

Those who voted in the negative, were

Brownell	Dowling	Kelsey	Snyder	Tilton
Corrigan	Gould	Robbins	Stone	Van Amber
Denniston	Keck	Smith, M.F.	Sulzer	Wilcox

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1477) entitled "An act to amend the county law, relating to the compensation of supervisors of Richmond county" (Int. No. 966), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 37 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Rider, J.J.	Taylor
Babcock	Eldredge	Kelsey	Robbins	Terry, C.W.
Baker	Fairbrother	Kern	Robertson	Terry, J.F.

Berry	Fish	Kneeland	Robson	Thompson
Brennan	Fuller	Lawson	Ryder, E.L.	Thornton
Brownell	Gardiner	Lee	Scanlon	Tilton
Burtis	Gerst	Lounsbury	Schoepflin	Tuttle
Chambers	Glenn	Matthews	Seibert	Vacheron
Clark, F.E.	Gould	Messiter	Sheffield	Van Amber
Clark, J. H.	Higbie	Nixon	Sherwood	Wells
Conklin	Hobbie	O'Grady	Smith, M.F.	Whittet
Cutler	Hoefer	Parkhurst	Snyder	Wilcox
Davidson	Hotaling	Porter	Stevens	Wyckoff
Dean	Howe	Prescott	Stone	

Those who voted in the affirmative, were

Butts	Dinkelspiel	Keleher	Melody	Schulz, F.F.
Cahill	Dowling	Kerr	Myers	Smith, S.W.
Cain	Finnigan	Kerrigan	O'Donnell	Southworth
Callahan	Foley	Lasch	Plant	Stadtfeld
Carroll	Gleason	Loonan	Reilly	Stein
Cassin	Hennessy	McDermott	Robinson	Tobin
Corrigan	Herrman	McKeon	Schillinger	Vehslage
Coughlin	Hoysradt			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1382) entitled "An act to amend section 475 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the construction of buildings" (Int. No. 1224), having been announced for a third reading,

Mr. Cahill moved to amend said bill as follows:

"Section 2. Elevators may be put in the well-hole of stairs in buildings without such brick or fire-proof inclosures, when the stairs are inclosed in brick or stone wall, and the stairs are constructed as specified in section 480 of this title, or when elevators are operated by water from high pressure street mains in buildings provided with apparatus also operated from such mains for extinguishing fires.

"§ 3. This act shall take effect immediately."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Kerr	Reilly	Stevens
Babcock	Eldredge	Kern	Rider, J.J.	Stewart
Baker	Fish	Kneeland	Robbins	Stone
Brennan	Foley	Lasch	Robertson	Taylor
Brownell	Fuller	Lawson	Robinson	Terry, C.W.
Butts	Gerst	Lee	Scanlon	Terry, J.F.
Cain	Gleason	Lounsbury	Schillinger	Thornton
Cassin	Glenn	Matthews	Schoepflin	Tilton
Chapman	Gould	McDermott	Schulz, F.F.	Tobin
Clark, F.E.	Herrman	McKeon	Seibert	Tuttle
Clark, J. H.	Hobbie	Melody	Sheffield	Vacheron
Conklin	Hoeffler	Messiter	Sherwood	Van Amber
Corrigan	Hotaling	Mittnacht	Smith, M.F.	Vehslage
Coughlin	Howe	Myers	Smith, S.W.	Wells
Cutler	Hoysradt	O'Grady	Snyder	Whittet
Davidson	Keck	Plant	Southworth	Wieman
Dean	Keleher	Porter	Stadtfield	Wilcox
Denniston	Kelsey	Prescott	Stein	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1530) entitled "An act to amend chapter 496 of the Laws of 1870, entitled 'An act to organize and establish a police for the village of West Troy,' as amended by chapter 34 of the Laws of 1892'" (Int. No. 953), having been announced for a third reading,

On motion of Mr. Ainsworth, said bill was laid aside.

The bill (No. 1288) entitled "An act to authorize the Commissioners of the Land Office to grant all the interest of this State in certain lands formerly under the waters of the Hudson river, adjoining the village of Catskill, in the county of Greene, but which have been filled in" (Int. No. 1123), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Plant	Stein
Babcock	Dinkelspiel	Kelsey	Porter	Stevens
Baker	Dowling	Kerr	Prescott	Stewart
Berry	Eldredge	Kern	Rider, J.J.	Stone
Brennan	Fairbrother	Kneeland	Robbins	Taylor
Brownell	Fish	Lasch	Robertson	Terry, C.W.
Burtis	Foley	Lawson	Robinson	Terry, J.F.
Butts	Fuller	Lee	Scanlon	Thompson
Cain	Gerst	Lounsbury	Schillinger	Thornton
Carroll	Gleason	Matthews	Schoepflin	Tilton
Cassin	Glenn	McDermott	Schulz, F.F.	Tuttle
Chapman	Gould	McKeon	Schulz, H	Vacheron
Clark, F.E.	Herrman	McNamee	Sheffield	Van Amber
Clark, J. H.	Higbie	Melody	Sherwood	Vehslage
Conklin	Hobbie	Messiter	Smith, M.F.	Wells
Corrigan	Hoefer	Mittnacht	Smith, S.W.	Whittet
Coughlin	Hotaling	Myers	Snyder	Wieman
Davidson	Howe	O'Grady	Southworth	Wilcox
Dean	Hoysradt	Parkhurst	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 909) entitled "An act providing for the submission of the question of the consolidation of the city of Mount Vernon with certain territory under a single municipal administration to a vote of the people" (Int. No. 837), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Keck	Parkhurst	Southworth
Babcock	Denniston	Keleher	Porter	Stadtfeld
Baker	Dinkelspiel	Kelsey	Prescott	Stein
Berry	Dowling	Kern	Reilly	Stevens
Braun	Eldredge	Kerrigan	Rider, J.J.	Stone
Brennan	Fairbrother	Kneeland	Robbins	Taylor
Brownell	Finnigan	La Fetra	Robinson	Terry, C.W.

Burtis	Fish	Lawson	Robson	Terry, J.F.
Bush	Friday	Lee	Roche	Thompson
Butts	Fuller	Lounsbury	Scanlon	Tilton
Cahill	Gardiner	Loonan	Schillinger	Tobin
Callahan	Gerst	Marrin	Schoepflin	Trainor
Carroll	Glenn	Matthews	Schulz, F.F.	Tuttle
Chambers	Gould	McKeon	Seibert	Van Amber
Chapman	Herrman	McNamee	Sheffield	Vehslage
Clark, J. H.	Higbie	Melody	Sherwood	Whittet
Conklin	Hobbie	Messiter	Smith, M.F.	Wieman
Coughlin	Hoefler	Myers	Smith, S.W.	Wray
Corrigan	Houghton	O'Grady	Snyder	Wyckoff
Cutler	Hoysradt			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1343) entitled "An act to authorize the sale of certain lands and premises situated in the city of New York which were devised by James Ewing Cooley to his executors in trust" (Int. No. 1188), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 87 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Rider, J.J.	Stevens
Babcock	Fairbrother	Kelsey	Robbins	Stewart
Baker	Finnigan	Kern	Robertson	Stone
Berry	Friday	Kneeland	Robson	Taylor
Brennan	Fuller	Lawson	Roche	Terry, C.W.
Burtis	Gardiner	Lee	Ryder, E.L.	Terry, J.F.
Bush	Gleason	Lounsbury	Scanlon	Thornton
Cahill	Glenn	Matthews	Schoepflin	Tilton
Cain	Gould	McDermott	Schulz, F.F.	Tobin
Carroll	Herrman	McNamee	Schulz, H	Tuttle
Chambers	Higbie	Messiter	Seibert	Vacheron
Clark, F.E.	Hobbie	Mittnacht	Sheffield	Vehslage
Clark, J. H.	Hoefler	Myers	Sherwood	Whittet
Conklin	Hotaling	O'Grady	Smith, M.F.	Wieman
Cutler	Houghton	Parkhurst	Smith, S.W.	Wilcox
Dean	Howe	Porter	Stadtfeld	Wray
Dinkelspiel	Keck	Prescott	Stein	Wyckoff
Dowling	Keenan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1476) entitled "An act to amend the general corporation law" (Int. No. 939), having been announced for a third reading,

Mr. Sheffield moved to amend said bill as follows :

Page 1, line 4, after the word "definitions" insert the figure "1."

Same page, line 7, after the word "government" commence a new paragraph and instead of the next two sentences ending at page 2, line 6, insert the following :

"2. A stock corporation is a corporation having capital stock divided into shares and which is authorized by law to distribute to the holders thereof dividends or shares of the surplus profits of the corporation. A corporation is not a stock corporation because of having issued certificates called certificates of stock but which are in fact merely certificates of membership and which is not authorized by law to distribute to its members any dividend or share of profits arising from the operations of the corporation.

"3. The term a non-stock corporation includes every corporation other than a stock corporation."

Page 2, lines 6 and 7, strike out the words "A mixed corporation is a corporation which may or may not have capital stock at its option."

Same page, line 7, after the word "option" commence a new paragraph and before the words "a monied corporation" insert the figure "4."

Same page, line 9, after the word "law" commence a new paragraph and before the words "a domestic corporation" insert the figure "5."

Same page, line 14, commence a new paragraph and before the words "the term" insert the figure "6."

Same page, line 17, commence a new paragraph and before the words "the term" insert the figure "7."

Same page, line 22, after the word "law" commence a new paragraph and before the words "the term" insert the figure "8."

Same page, line 25, after the word "proxy" commence a new paragraph and before the words "the term" insert the figure "9."

Page 3, line 3, after the words "carried on" commence a new paragraph and before the words "the term" insert the figure "10."

Same page, line 6, after the word "incorporated" commence a new paragraph and before the words "the term" insert the figure "11."

Same page, line 22, after the word "executed" insert the words "shall be in the English language and."

Same page, line 23, strike out the words "be in the English language and."

Page 4, line 4, strike out the word "which."

Same page, line 10, change the word "of" to the word "for."

Same page, line 16, change the word "of" to the word "as."

Same page, line 17, after the word "deceive" insert a comma.

Page 6, line 24, after the word "which" insert the word "it."

Page 7, line 9, change the word "persons" to the word "person."

Page 8, line 4, strike out the bracket.

Same page, line 8, strike out the bracket.

Page 9, line 1, after the word "pledged" insert a comma.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Prescott	Stein
Babcock	Foley	Kerrigan	Rider, J.J.	Stevens
Baker	Friday	Kneeland	Robbins	Stewart
Braun	Gardiner	Lasch	Robertson	Stone
Brownell	Gerst	Lawson	Robson	Taylor
Bush	Glenn	Lee	Ryder, E.L.	Ferry, C.W.
Carroll	Gould	Loonan	Scanlon	Terry, J.F.
Cassin	Herrman	Marrin	Schillinger	Thompson
Clark, J. H.	Higbie	Matthews	Schoepflin	Thornton
Corrigan	Hobbie	McKeon	Schulz, F.F.	Tilton
Coughlin	Hoefler	McNamee	Schulz, H	Trainor
Cutler	Hotaling	Melody	Seibert	Tuttle
Davidson	Houghton	Messiter	Sheffield	Van Amber
Denniston	Howe	Mitnacht	Sherwood	Wells
Dinkelspiel	Keck	Nixon	Smith, M.F.	Whittet
Dowling	Keenan	O'Grady	Smith, S.W.	Wilcox
Eldredge	Keleher	Parkhurst	Snyder	Wray
Fairbrother	Kelsey	Porter	Stadtfeld	Wyckoff
Finnigan				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1479) entitled "An act to amend the business corporation law" (Int. No. 941), having been announced for a third reading,

Mr. Sheffield moved to amend said bill as follows :

Page 4, line 2, insert a comma after the word "time."

Same page, line 4, insert a comma after the word "them."

Page 6, line 1, strike out all of the section after the word "been" and insert the words "organized for the purpose of carrying on any part of its business in any place out of this State, the agreement shall so state, with such other particulars as they may deem necessary."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	{
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	O'Grady	Stein
Babcock	Dowling	Keck	Parkhurst	Stevens
Baker	Eldredge	Keenan	Porter	Stewart
Berry	Fairbrother	Keleher	Prescott	Stone
Braun	Fish	Kelsey	Rider, J.J.	Taylor
Brownell	Foley	Kerr	Robbins	Terry, C. W.
Burtis	Friday	Kern	Robertson	Terry, J. F.
Carroll	Fuller	Kneeland	Robson	Thompson
Cassin	Gardiner	Lasch	Roche	Thornton
Chambers	Gleason	Lawson	Scanlon	Tilton
Clark, F. E.	Glenn	Lee	Schoepflin	Tuttle
Clark, J. H.	Gould	Lounsbury	Schulz, F.F.	Vacheron
Conklin	Harrigan	Matthews	Schulz, H	Van Amber
Corrigan	Herrman	McDermott	Seibert	Wells
Coughlin	Higbie	McNamee	Sheffield	Whittet
Cutler	Hobbie	Messiter	Sherwood	Wieman
Davidson	Horton	Mitnacht	Smith, M.F.	Wilcox
Dean	Hotaling	Myers	Snyder	Wray
Denniston	Houghton	Nixon	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1475) entitled "An act to amend section 31 of article 2 of chapter 6 of the general laws, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws'" (Int. No. 823), having been announced for a third reading.

Mr. Bush moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. O'Grady moved to amend said bill as follows:

Line 17, strike out the word "Fridays" and insert the word "Saturdays."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 67 }
{ NOES 39 }

Those who voted in the affirmative, were

Ainsworth	Fish	Lawson	Schulz, F.F.	Thompson
Babcock	Fuller	Lee	Schulz, H	Thornton
Baker	Gardiner	Lounsbury	Seibert	Tilton
Braun	Gerst	Matthews	Sheffield	Tuttle
Brownell	Glenn	Messiter	Sherwood	Vacheron
Burtis	Gould	Nixon	Smith, M.F.	Van Amber
Chambers	Hobbie	O'Grady	Snyder	Wells
Clark, F.E.	Hoefler	Prescott	Stevens	Whittet
Clark, J. H.	Horton	Rider, J.J.	Stewart	Wieman
Conklin	Hotaling	Robbins	Stone	Wilcox
Cutler	Keck	Robertson	Taylor	Wray
Dean	Kelsey	Scanlon	Terry, C.W.	Wyckoff
Denniston	Kern	Schoepflin	Terry, J.F.	Speaker
Fairbrother	Kneeland			

Those who voted in the negative, were

Berry	Cassin	Herrman	Marrin	Ryder, E.L.
Brennan	Chapman	Houghton	McDermott	Schillinger
Bush	Corrigan	Kelcher	McKeon	Southworth
Butts	Coughlin	Kerr	Melody	Stadtfeld
Cahill	Davidson	Kerrigan	Mitnacht	Stein
Cain	Dinkelspiel	La Fetra	Myers	Tobin
Callahan	Dowling	Lasch	O'Donnell	Vehslage
Carroll	Hennessy	Loonan	Robinson	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1536) entitled "An act to amend chapter 637 of the Laws of 1892, entitled 'An act to provide for the establish-

ment of a reformatory for women,' and making an appropriation therefor" (Int. No. 934), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	86	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Corrigan	Herrman	McKeon	Sherwood
Babcock	Davidson	Higbie	Messiter	Stadtfeld
Baker	Dean	Hoefler	Mittnacht	Stein
Berry	Denniston	Horton	Myers	Stevens
Braun	Dinkelspiel	Hoysradt	O'Grady	Stewart
Brownell	Dowling	Keleher	Porter	Stone
Burtis	Eldredge	Kelsey	Prescott	Taylor
Bush	Fairbrother	Kerr	Rider, J.J.	Terry, C.W.
Butts	Finnigan	Kerrigan	Robertson	Thompson
Cahill	Fish	La Fetra	Roche	Thornton
Cain	Friday	Lasch	Ryder, E.L.	Tilton
Callahan	Fuller	Lawson	Scanlon	Vehslage
Carroll	Gerst	Lee	Schillinger	Wells
Cassin	Gleason	Lounsbury	Schoepflin	Whittet
Chambers	Glenn	Loonan	Schulz, H	Wieman
Chapman	Gould	Marrin	Seibert	Wray
Clark, F.E.	Hennessy	McDermott	Sheffield	Wyckoff
Clark, J. H.				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth moved that the session be extended to 7 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1471) entitled "An act to amend chapter 523 of the Laws of 1890, chapter 315 of the Laws of 1891, and chapter 418 of the Laws of 1892, being acts in relation to the office of sheriff of the city and county of New York, and amendments thereto, relating to appointment of deputies and compensation" (Int. No. 360), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Mittnacht	Sheffield
Babcock	Denniston	Houghton	Myers	Sherwood
Baker	Dinkelspiel	Hoysradt	Nixon	Smith, M.F.
Berry	Dowling	Keenan	O'Donnell	Smith, S.W.
Braun	Eldredge	Keleher	O'Grady	Snyder
Brennan	Fairbrother	Kelsey	Parkhurst	Stadtfeld
Brownell	Fish	Kerr	Plant	Stein
Burtis	Foley	Kern	Reilly	Stewart
Bush	Friday	Kerrigan	Rider, J.J.	Stone
Butts	Fuller	Kneeland	Robbins	Sulzer
Cain	Gardiner	La Fetra	Robertson	Terry, J.F.
Carroll	Gerst	Lasch	Robinson	Thornton
Cassin	Gleason	Lounsbury	Robson	Tuttle
Chambers	Gould	Marrin	Roche	Vacheron
Chapman	Gray	McDermott	Scanlon	Van Amber
Clark, J. H.	Hennessy	McKeon	Schillinger	Vehslage
Conklin	Herrman	McNamee	Schoepflin	Whittet
Coughlin	Higbie	Melody	Schulz, F.F.	Wilcox
Cutler	Hobbie	Messiter	Seibert	Wyckoff
Davidson	Horton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1253) entitled "An act to amend chapter 297 of the Laws of 1885, entitled 'An act for the preservation of the public health and the registration of vital statistics in the city of Albany'" (Int. No. 1117), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keleher	Porter	Stadtfeld
Babcock	Eldredge	Kelsey	Prescott	Stein
Baker	Fairbrother	Kerr	Reilly	Stevens
Berry	Finnigan	Kerrigan	Rider, J.J.	Stone
Brennan	Foley	Kneeland	Robbins	Sulzer
Brownell	Friday	La Fetra	Robertson	Terry, J.F.
Burtis	Fuller	Lasch	Robson	Thompson
Butts	Gerst	Lawson	Roche	Thornton

Callahan	Glenn	Loonan	Scanlon	Tilton
Carroll	Gray	Marrin	Schoepflin	Trainor
Chambers	Hennessy	McDermott	Schulz, F.F.	Vacheron
Chapman	Herrman	McKeon	Schulz, H	Van Amber
Clark, F.E.	Higbie	Melody	Seibert	Vehslage
Conklin	Hoefer	Messiter	Sherwood	Wells
Coughlin	Hotaling	Myers	Smith, M.F.	Whittet
Cutler	Houghton	Nixon	Smith, S.W.	Wilcox
Davidson	Hoysradt	O'Grady	Snyder	Wyckoff
Denniston	Keenan	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1462) entitled "An act to establish a pension fund for the paid fire department of the city of Rochester" (Int. No. 1282), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Myers	Smith, S.W.
Babcock	Douglas	Howe	Nixon	Snyder
Baker	Dowling	Hoysradt	O'Donnell	Stadtfeld
Berry	Eldredge	Keleher	O'Grady	Stein
Brennan	Fairbrother	Kelsey	Plant	Stewart
Brownell	Fish	Kerr	Porter	Taylor
Bush	Friday	Kern	Reilly	Terry, C.W.
Butts	Fuller	Kerrigan	Robbins	Thompson
Cain	Gardiner	La Fetra	Robertson	Thornton
Callahan	Gerst	Lasch	Robson	Tilton
Carroll	Glenn	Lawson	Roche	Trainor
Chambers	Gould	Marrin	Scanlon	Tuttle
Clark, F.E.	Gray	McDermott	Schoepflin	Van Amber
Clark, J. H.	Herrman	McKeon	Schulz, F.F.	Whittet
Conklin	Higbie	Melody	Schulz, H	Wieman
Coughlin	Hobbie	Messiter	Sherwood	Wilcox
Cutler	Horton	Mitnacht	Smith, M.F.	Wyckoff
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Governor, by the hands of his private secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 18, 1894. }

To the Assembly :

Assembly bill No. 562, entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Johnstown, Fulton county, to Lydia Dickson," is herewith returned without approval.

The purpose of the bill can be accomplished under existing general law, and a special statute is therefore unnecessary.

ROSWELL P. FLOWER.

On motion of Mr. Keck, said bill and the accompanying communication were laid upon the table.

The bill (No. 1501), entitled "An act to release from assessments heretofore levied on certain real estate of Saint John's Methodist Episcopal church in the city of New York" (Int. No. 1300), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefler	Nixon	Stadtfeld
Babcock	Denniston	Hotaling	O'Grady	Stein
Baker	Dowling	Howe	Parkhurst	Stewart
Braun	Eldredge	Keck	Porter	Sulzer
Brownell	Fairbrother	Keleher	Rider, J.J.	Terry, C W.
Burtis	Fish	Kelsey	Robbins	Thompson
Bush	Friday	Kerr	Robson	Thornton
Butts	Fuller	Kern	Roche	Tilton
Callahan	Gardiner	Kneeland	Scanlon	Tuttle
Carroll	Gerst	Lawson	Schoepffin	Vacheron
Chambers	Glenn	Lounsbury	Schulz, H	Van Amber
Chapman	Gould	Marrin	Seibert	Wells
Clark, F.E.	Gray	Matthews	Sherwood	Whittet
Clark, J. H.	Herrman	Melody	Smith, M.F.	Wilcox
Conklin	Higbie	Messiter	Smith, S.W.	Wyckoff
Cutler	Hobbie	Myers		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 652) entitled "An act to provide for the construction of a viaduct over the railroad tracks where the same

intersect the line of Chenango street in the city of Binghamton" (Rec. No. 296), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Parkhurst	Stadtfeld
Baker	Dowling	Houghton	Porter	Stein
Berry	Eldredge	Keck	Rider, J.J.	Stewart
Brennan	Fairbrother	Kelsey	Robbins	Sulzer
Brownell	Fish	Kern	Robertson	Terry, C W.
Burtis	Friday	Kneeland	Robson	Thompson
Callahan	Fuller	Lawson	Roche	Thornton
Carroll	Gardiner	Lee	Scanlon	Tilton
Chambers	Gerst	Loonan	Schoepflin	Tuttle
Chapman	Glenn	Matthews	Schulz, F.F.	Vacheron
Clark, F.E.	Gould	McDermott	Seibert	Van Amber
Clark, J. H.	Gray	Melody	Sheffield	Wells
Conklin	Higbie	Messiter	Sherwood	Whittet
Coughlin	Hobbie	Myers	Smith, M.F.	Wilcox
Cutler	Hoefer	Nixon	Smith, S.W.	Wyckoff
Dean	Horton	O'Grady	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 741) entitled "An act to amend chapter 707 of the Laws of 1893, entitled 'An act to incorporate the Model Town Company, to define its rights, powers and privileges, and for other purposes'" (Rec. No. 258), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleber	Porter	Stadtfeld
Baker	Fairbrother	Kelsey	Prescott	Stein
Berry	Fish	Kerr	Rider, J.J.	Stevens

Brennan	Friday	Kern	Robbins	Stewart
Brownell	Fuller	Kneeland	Robertson	Sulzer
Burtis	Gardiner	Lasch	Robson	Terry, C.W.
Bush	Gerst	Lawson	Scanlon	Terry, J.F.
Cain	Glenn	Lee	Schoepflin	Thornton
Callahan	Gould	Marrin	Schulz, F.F.	Tilton
Carroll	Gray	Matthews	Schulz, H	Tuttle
Chambers	Herrman	McKeon	Seibert	Vacheron
Chapman	Higbie	Melody	Sheffield	Van Amber
Clark, J. H.	Hobbie	Messiter	Sherwood	Wells
Conklin	Hoefer	Myers	Smith, M.F.	Wieman
Cutler	Horton	Nixon	Smith, S.W.	Wray
Dean	Houghton	O'Grady	Snyder	Wyckoff
Denniston	Hoysradt	Parkhurst		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 615) entitled "An act to legalize the conveyance of certain lands to the railroad commissioners of the town of New Lebanon, in the county of Columbia, and to authorize said commissioners to hold and convey the same" (Rec. No. 226), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Hoysradt	Parkhurst	Stein
Baker	Eldredge	Keck	Porter	Stevens
Braun	Fairbrother	Keleher	Prescott	Sherwood
Brennan	Fish	Kelsey	Rider, J.J.	Sulzer
Brownell	Friday	Kerr	Robbins	Taylor
Burtis	Fuller	Kern	Robertson	Terry, C.W.
Callahan	Gardiner	Kneeland	Robson	Thompson
Carroll	Gerst	Lawson	Scanlon	Thornton
Chambers	Glenn	Lee	Schoepflin	Tilton
Chapman	Gould	Lounsbury	Schulz, F.F.	Tuttle
Clark, F.E.	Gray	Matthews	Seibert	Vacheron
Clark, J. H.	Herrman	Melody	Sherwood	Van Amber
Conklin	Higbie	Messiter	Smith, M.F.	Wells
Coughlin	Hobbie	Mitnacht	Smith, S.W.	Whittet

Cutler
Dean
Denniston

Horton
Houghton

Nixon
O'Grady

Snyder
Stadtfeld

Wilcox
Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 379) entitled "An act for the relief of the Goshen Sanitarium Company of Goshen, New York, and to legalize its incorporation" (Rec. No. 229), having been announced for a third reading,

On motion of Mr. Thornton, said bill was laid aside.

The Senate bill (No. 424) entitled "An act in relation to Centre avenue and Main street in the village of New Rochelle, county of Westchester, and State of New York" (Rec. No. 108), having been announced for a third reading,

On motion of Mr. Berry, said bill was laid aside.

The Senate bill (No. 736) entitled "An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster in the county of Erie, entitled An act to consolidate and amend the several acts relating to the said village of Lancaster, and to enlarge the powers of the corporation of said village'" (Rec. No. 284), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Parkhurst	Stadtfeld
Baker	Douglas	Howe	Plant	Stein
Braun	Dowling	Keck	Prescott	Stevens
Brennan	Eldredge	Keleher	Rider, J.J.	Stewart
Brownell	Fairbrother	Kelsey	Robbins	Stone
Bush	Fish	Kern	Robertson	Sulzer
Butts	Friday	Kerrigan	Robson	Taylor
Callahan	Fuller	Kneeland	Ryder, E.L.	Thompson
Carroll	Gardiner	Lawson	Scanlon	Thornton
Chambers	Gerst	Lee	Schoepflin	Tilton
Chapman	Glenn	Marrin	Schulz, F.F.	Tuttle

Clark, F.E.	Gould	Matthews	Schulz, H	Vacheron
Clark, J. H.	Gray	McKeon	Seibert	Van Amber
Conklin	Higbie	Melody	Sheffield	Wells
Cutler	Hobbie	Messiter	Smith, M. F.	Wieman
Davidson	Hoefler	Nixon	Smith, S.W.	Wray
Dean	Hotaling	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 621) entitled "An act to amend chapter 640 of the Laws of 1892, entitled 'An act relating to the repair and improvements of streets, roads, docks and wharves in the villages situated in towns in which more than one-fourth in value of the taxable real estate has been condemned or appropriated for the purpose of a public park or parks, and providing for the raising of money for such repair and improvements'" (Rec. No. 162), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Parkhurst	Stadtfeld
Baker	Eldredge	Kelsey	Porter	Stein
Braun	Fairbrother	Kerr	Rider, J.J.	Stone
Brennan	Fish	Kern	Robbins	Sulzer
Brownell	Friday	Kneeland	Robinson	Terry, C.W
Burtis	Fuller	Lawson	Robson	Thompson
Bush	Gardiner	Lee	Roche	Thornton
Cahill	Gerst	Lounsbury	Scanlon	Tilton
Cain	Glenn	Matthews	Schoepflin	Tuttle
Carroll	Gould	McDermott	Schulz, F.F.	Vacheron
Chambers	Gray	McNamee	Schulz, H	Van Amber
Clark, F.E.	Higbie	Melody	Sheffield	Wells
Clark, J. H.	Hobbie	Messiter	Sherwood	Whittet
Conklin	Hoefler	Myers	Smith, M.F.	Wieman
Coughlin	Horton	Nixon	Smith, S.W.	Wray
Cutler	Hotaling	O'Grady	Snyder	Wyckoff
Dean	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 607) entitled "An act to enable the village of Oneida to refund its bonded indebtedness and to issue bonds for that purpose" (Rec. No. 221), was read the third time.

Mr. Speaker put the question whether the House would concur in the amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly not voting. in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	Parkhurst	Stein
Baker	Fairbrother	Keck	Porter	Stewart
Braun	Fish	Kelsey	Rider, J.J.	Stone
Brennan	Friday	Kern	Robbins	Sulzer
Brownell	Fuller	Kerrigan	Robertson	Terry, C.W.
Burtis	Gardiner	Kneeland	Robson	Terry, J.F.
Butts	Gerst	Lawson	Roche	Thornton
Callahan	Glenn	Lee	Scanlon	Tilton
Cassin	Gould	Lounsbury	Schoepflin	Tuttle
Chambers	Gray	Matthews	Schulz, F.F.	Vacheron
Clark, F.E.	Higbie	McKeon	Seibert	Van Amber
Clark, J. H.	Hobbie	McNamee	Sheffield	Wells
Conklin	Hoefer	Melody	Smith, M.F.	Whittet
Coughlin	Horton	Myers	Smith, S.W.	Wilcox
Cutler	Hotaling	Nixon	Snyder	Wray
Dean	Houghton	O'Grady	Stadtfeld	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 715) entitled "An act to abolish days of grace" (Rec. No. 207), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 31 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Prescott	Stein
Berry	Dowling	Keenan	Rider, J.J.	Stewart
Braun	Fairbrother	Kelsey	Robbins	Stone
Brennan	Finnigan	Kern	Robertson	Sulzer
Brownell	Fish	Kerrigan	Robinson	Taylor

Bush	Friday	Kneeland	Ryder, E.L.	Terry, C.W.
Butts	Fuller	La Petra	Scanlon	Terry, J.F.
Callahan	Gerst	Lasch	Schoepflin	Thompson
Carroll	Gleason	Lee	Schulz, H	Tilton
Cassin	Glenn	Loonan	Seibert	Tuttle
Chambers	Gould	McDermott	Sheffield	Vacheron
Conklin	Hennessy	McKeon	Sherwood	Vehslage
Corrigan	Herrman	Melody	Smith, M.F.	Whittet
Coughlin	Higbie	Mittnacht	Smith, S.W.	Wieman
Davidson	Hobbie	Parkhurst	Southworth	Wyckoff
Dinkelspiel	Horton	Porter		

Those who voted in the negative, were

Babcock	Denniston	Kerr	Nixon	Stadtfeld
Baker	Eldredge	Lawson	Plant	Stevens
Cahill	Foley	Lounsbury	Reilly	Thornton
Cain	Gardiner	Marrin	Schillinger	Van Amber
Chapman	Hoeffer	McNamee	Schulz, F.F.	Wells
Clark, J. H.	Keleher	Myers	Snyder	Wray
Gutler				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate bill (No. 824) entitled "An act to change the name of 'The National Savings and Loan Association,' of Rochester, N. Y." (Rec. No. 244), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Keck	Porter	Stein
Berry	Eldredge	Keleher	Prescott	Stevens
Braun	Fairbrother	Kelsey	Rider, J.J.	Stewart
Brennan	Finnigan	Kerr	Robbins	Stone
Brownell	Fish	Kern	Robertson	Taylor
Bush	Friday	Kneeland	Robson	Terry, C.W.
Butts	Fuller	Lasch	Scanlon	Terry, J.F.
Callahan	Gardiner	Lawson	Schillinger	Thompson
Carroll	Gerst	Lee	Schoepflin	Thornton
Chambers	Gould	Marrin	Schulz, F.F.	Tilton
Chapman	Gray	Matthews	Schulz, H	Tuttle

Clark, F.E.	Higbie	Melody	Seibert	Vacheron
Clark, J. H.	Hobbie	Messiter	Sheffield	Van Amber
Conklin	Hoefler	Myers	Smith, M.F.	Wells
Coughlin	Horton	Nixon	Smith, S.W.	Wieman
Cutler	Hotaling	O'Grady	Snyder	Wray
Dean	Houghton	Parkhurst	Stadtfeld	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1289) entitled "An act in relation to proceedings for the voluntary dissolution of corporations, and providing for relief from defects and omissions therein" (Int. No. 1124), reported the same without recommendation.

Ordered, That said bill be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1660) entitled "An act in relation to the extension and improvement of Liberty avenue in the city of Brooklyn" (Int. No. 1424), reported the same with the recommendation that it be amended as follows:

Page 1, line 10, after the word "paved" insert a comma.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1672) entitled "An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the Firemen's Association of the State of New York'" (Int. No. 1436), reported the same with the recommendation that it be amended as follows:

Page 1, line 5, after the word "read" insert the word "respectively."

Page 2, line 8, strike out the letter "s" from the word "regulations," also, the letter "s" from the word "payments."

Same page, line 22, insert the word "of" after the word "or."

Page 3, lines 1 and 2, strike out the words "title 3, chapter 18, of part 1 of the Revised Statute," and insert the words "the general corporation law as far as applicable."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1694) entitled "An act to amend chapter 348 of the Laws of 1893, entitled 'An act to establish an institution for the care and custody of unteachable idiots'" (Int. No. 1460), reported the same with the recommendation that it be amended as follows:

Page 2, lines 3 and 4, strike out all of line 3 after the word "said," and all of line 4, up to and including the word "three," and insert the word "act."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1704) entitled "An act to provide for a new pumping-house, pumping-engines and conduit, with appurtenances thereto, for the purposes of supplying the city of Albany with an increased supply of water" (Int. No. 840), reported the same with the recommendation that it be amended as follows:

Page 2, line 21, strike out the word "evinced" and insert the word "evidence."

Page 7, line 13, strike out the colon after the word "mentioned."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1623) entitled "An act to authorize John Rigeman, Jr., of the town of Lockport, to sell and convey the cemetery grounds situated on the farm owned by him in said town" (Int. No. 1383), reported the same with the recommendation that it be amended as follows:

Page 2, line 4, after the word "Niagara" insert the words "provided such removal shall not violate any condition or term contained in the deed of conveyance and title to said land or other contract or instrument of record."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1696) entitled "An act authorizing the clerk of the Assembly to cause to be printed and distributed copies of the game law" (Int. No. 1311), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "printing" insert the word "and."

Same page, line 4, strike out the words "shall be."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1594) entitled "An act to authorize the common council of the city of Buffalo to transfer Front avenue to the board of park commissioners as a park approach" (Int. No. 1374), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, insert a comma after the word "terrace."

Same page, line 6, strike out the comma after the word "thereof."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 857) entitled "An act for the release of any interest of the State in certain lands in the city of Buffalo to Henry Koons" (Int. No. 792), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "land" insert the words "described as," and change the word "following" to "follows."

Page 2, line 4, capitalize the words "Central" and "River."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate bill (No. 843) entitled "An act to amend the Penal

Code, as amended by chapter 693 of the Laws of 1892, relative to elections" (Rec. No. 274), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Robbins	Stevens
Babcock	Fish	Kern	Robertson	Stewart
Baker	Friday	Kerrigan	Robson	Stone
Berry	Fuller	Kneeland	Roche	Taylor
Brennan	Gardiner	Lasch	Scanlon	Perry, C.W.
Bush	Gerst	Lawson	Schoepflin	Terry, J.F.
Carroll	Glenn	Lee	Schulz, F.F.	Thornton
Chambers	Gould	Loonan	Schulz, H	Tilton
Clark, F.E.	Gray	Matthews	Seibert	Tuttle
Clark, J. H.	Higbie	McKeon	Sheffield	Vacheron
Conklin	Hobbie	Melody	Sherwood	Van Amber
Coughlin	Hoefler	Mittnacht	Smith, M.F.	Wells
Cutler	Horton	Nixon	Smith, S.W.	Whittet
Dean	Houghton	O'Grady	Snyder	Wilcox
Denniston	Howe	Porter	Stadtfeld	Wray
Douglas	Keck	Prescott	Stein	Wyckoff
Eldredge	Keleher	Rider, J.J.		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to amend section 4 of chapter 565 of the Laws of 1885, entitled 'An act to incorporate the New York Cheap Transportation Association'" (Rec. No. 107), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keck	Porter	Stein
Baker	Dowling	Keleher	Prescott	Stewart

Berry	Eldredge	Kelsey	Rider, J.J.	Stone
Brennan	Fairbrother	Kerr	Robbins	Sulzer
Brownell	Fish	Kern	Robertson	Taylor
Burtis	Friday	Kerrigan	Robson	Terry, J.F.
Butts	Fuller	Kneeland	Scanlon	Thompson
Callahan	Gardiner	Lasch	Schoepflin	Thornton
Carroll	Gerst	Lawson	Schulz, F.F.	Tilton
Chambers	Glenn	Lee	Schulz, H	Tuttle
Clark, F.E.	Gould	Marrin	Seibert	Vacheron
Clark, J. H.	Gray	Matthews	Sheffield	Wells
Conklin	Higbie	Melody	Sherwood	Wieman
Coughlin	Hobbie	Messiter	Smith, M.F.	Wray
Cutler	Hoefler	Myers	Smith, S.W.	Wyckoff
Dean	Horton	Nixon	Snyder	

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 477) entitled "An act for the release of any interest of the State in certain lands in the city of Buffalo to Henry Koons" (Rec. No. 177), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Porter	Stein
Babcock	Denniston	Howe	Prescott	Stevens
Baker	Dinkelspiel	Keck	Rider, J.J.	Stewart
Berry	Dowling	Kelsey	Robbins	Stone
Braun	Eldredge	Kerr	Robertson	Sulzer
Brennan	Fairbrother	Kern	Robson	Terry, C.W.
Brownell	Fish	Kneeland	Scanlon	Terry, J.F.
Burtis	Friday	Lasch	Schoepflin	Thompson
Cahill	Fuller	Lawson	Schulz, F.F.	Thornton
Callahan	Gardiner	Lee	Schulz, H	Tuttle
Carroll	Gerst	Lounsbury	Seibert	Vacheron
Cassin	Glenn	Matthews	Sheffield	Van Amber
Chambers	Gould	Melody	Sherwood	Wells
Chapman	Gray	Messiter	Smith, M.F.	Whittet
Clark, F.E.	Herrman	Myers	Smith, S.W.	Wieman
Clark, J. H.	Higbie	Nixon	Snyder	Wilcox
Conklin	Hoefler	O'Grady	Southworth	Wray
Coughlin	Horton	Parkhurst	Stadtfeld	Wyckoff
Cutler	Hotaling			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 789) entitled "An act to amend section 4 of title 1 of chapter 13 of part 1 of the Revised Statutes, relating to exemptions from taxation" (Rec. No. 223), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 38 }
{ NOES 65 }

Those who voted in the affirmative, were

Berry	Davidson	Lawson	Reilly	Sulzer
Brennan	Dinkelspiel	Loonan	Robinson	Taylor
Cain	Douglas	Marrin	Scanlon	Terry, C.W.
Cassin	Finnigan	McDermott	Schulz, F.F.	Vacheron
Clark, F.E.	Friday	McKeon	Schulz, H	Vehslage
Conklin	Hennessy	Melody	Smith, S.W.	Wieman
Corrigan	Kerr	Myers	Southworth	Wray
Coughlin	Lasch	O'Donnell		

Those who voted in the negative, were

Babcock	Dowling	Hotaling	Nixon	Stadtfield
Baker	Eldredge	Houghton	Plant	Stein
Braun	Fairbrother	Howe	Porter	Stone
Burtis	Fish	Keck	Prescott	Terry, J.F.
Bush	Foley	Kelsey	Rider, J.J.	Thornton
Butts	Fuller	Kern	Robbins	Tilton
Cahill	Gardiner	Kneeland	Robson	Tuttle
Callahan	Gerst	La Petra	Schillinger	Van Amber
Carroll	Gleason	Lee	Schoepflin	Wells
Chambers	Gould	Matthews	Seibert	Whittet
Cutler	Higbie	McNamee	Sheffield	Wilcox
Dean	Hoesler	Messiter	Smith, M.F.	Wyckoff
Denniston	Horton	Mittnacht	Snyder	Speaker

When the name of Mr. Herrman was called, he asked to be and was excused from voting.

Mr. Taylor moved to reconsider the vote by which said bill was lost and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 728) entitled "An act to provide for the construction of a hoist or lift bridge over the Erie canal at Adam street, in the city of Lockport, and making an appropriation therefor" (Rec. No. 288), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Parkhurst	Stein
Babcock	Eldredge	Keleher	Porter	Stevens
Baker	Fairbrother	Kelsey	Prescott	Stewart
Braun	Fish	Kerr	Rider, J.J.	Sulzer
Brennan	Friday	Kern	Robbins	Taylor
Brownell	Fuller	Kneeland	Robertson	Terry, J.F.
Burtis	Gardiner	Lasch	Robson	Thompson
Butts	Glenn	Lawson	Roche	Thornton
Callahan	Gould	Lounsbury	Scanlon	Tuttle
Carroll	Gray	Marrin	Schoepflin	Vacheron
Chambers	Herrman	Matthews	Schulz, F.F.	Van Amber
Clark, F.E.	Higbie	McKeon	Seibert	Wells
Clark, J. H.	Hobbie	McNamee	Sheffield	Whittet
Conklin	Hoefler	Messiter	Sherwood	Wieman
Cutler	Horton	Mittnacht	Smith, S.W.	Wilcox
Dean	Hotaling	Nixon	Snyder	Wray
Denniston	Houghton	O'Grady	Stadtfield	Wyckoff
Dinkelspiel	Howe			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 434) entitled "An act to amend an act entitled 'An act to incorporate the Burnham industrial farm,' passed May 12, 1886" (Rec. No. 159), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	81	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Douglas	Hotaling	Prescott	Stewart
Babcock	Dowling	Howe	Rider, J.J.	Stone
Baker	Eldredge	Keck	Robbins	Taylor
Braun	Fairbrother	Keleher	Robertson	Terry, C.W.
Brennan	Fish	Kelsey	Robson	Terry, J.F.
Brownell	Friday	Kern	Scanlon	Thompson
Burtis	Fuller	Kneeland	Schillinger	Thornton
Butts	Gardiner	Lawson	Schulz, F.F.	Tilton
Callahan	Gerst	Lee	Seibert	Tuttle
Cassin	Glenn	Matthews	Sheffield	Vacheron
Chambers	Gould	Melody	Smith, M.F.	Van Amber
Clark, F.E.	Gray	Messiter	Smith, S.W.	Wells
Clark, J. H.	Higbie	Myers	Snyder	Whittet
Conklin	Hobbie	Nixon	Stadtfeld	Wieman
Cutler	Hoefer	O'Grady	Stein	Wilcox
Dean	Horton	Porter	Stevens	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Nixon introduced a bill entitled "An act to further inquire into the existence of tuberculosis in cattle" (Int. No. 1489), which was read the first time.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was read the second time and placed on the order of third reading and referred to the committee on ways and means.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same :

"An act to amend chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws,' and to repeal chapter 250 of the Laws of 1893, entitled 'An act to amend chapter 361 of the Laws of 1884, entitled An act to establish a State Board of Pharmacy, and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie.'"

(No. 958, Int. No. 659.)

"An act in relation to deeds under tax sales in the city of Brooklyn." (No. 1028, Int. No. 869.)

"An act in relation to the acquisition of land for public parks by the city of Brooklyn, and to provide the means of payment therefor." (No. 1081, Int. No. 971.)

"An act for the relief of the Goshen Sanitarium Company, of Goshen, New York, and to legalize its incorporation." (No. 684, Int. No. 601.)

"An act to amend the Penal Code, relative to loans on personal property." (No. 800, Int. No. 346.)

"An act making an appropriation for repairing and reconstructing the State armory and drill-room, at Walton, and to provide for the acquisition of additional land, and appointing a commission therefor." (No. 360, Int. No. 346.)

"An act making an appropriation for the disbursement of moneys paid into the treasury in pursuance of the provisions of chapter 479 of the Laws of 1887, and the acts amendatory thereof." (Not printed, Int. No. 1484.)

"An act entitled 'An act to authorize and empower the board of trustees of villages incorporated under the act entitled An act for the incorporation of villages, passed April 20, 1870, and acts amendatory thereof and supplemental thereto, to contract with lighting companies organized under the laws of this State for lighting the streets and public grounds of said villages.'" (No. 760, Int. No. 709.)

"An act to amend chapter 252 of the Laws of 1857, entitled 'An act to incorporate the Genesee Camp Ground Association.'" (No. 569, Int. No. 539.)

"An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Mary Jane Charlton against the State, and to make an award therefor." (No. 905, Int. No. 833.)

"An act to provide means for constructing and repairing ditches for carrying off the back water from the lands in the town of Wheatfield, in the county of Niagara, occasioned by the erection of the State dam for canal purposes across the Tonawanda creek near its mouth in the village of Tonawanda." (No. 285, Int. No. 281.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bill:

"An act to provide for the erection of a suitable monument to the memory of the soldiers of the Ninth regiment volunteer infantry of the State of New York, who were engaged in the

battle of Antietam, and making an appropriation therefor." (No. 858, Int. No. 1466.)

Ordered, That the Clerk deliver said bill to the Governor.

The privileges of the floor were granted to Hon. John B. Shay, a former member of this House.

Mr. Speaker presented petitions from the Woman's Christian Temperance Union, in favor of the amendment to the public health law; also favoring the amendment to the Code of Criminal Procedure, relating to the sale of morphine and other drugs; also favoring the bill raising the age of consent for young girls to 18 years; also the bill relating to the study of physiology and hygiene in the public schools; which were laid upon the table.

The hour of 7 o'clock having arrived, the House adjourned.

THURSDAY, APRIL 19, 1894.

The House met pursuant to adjournment.

Prayer by Rev. John McC. Holmes.

Mr. Gray moved that the journal be corrected and that he be recorded as voting for the Senate bill (No. 971) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of police commissioners in said city" (Rec. No. 331.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Gray, the journal was approved without further reading.

Mr. Speaker announced the calendar of the day.

Mr. Ainsworth called from the table the bill (No. 457) entitled "An act with reference to the removal and appointment of heads of departments in the city of New York" (Int. No. 434), previously laid aside on the order of third reading.

Said bill having been announced for a third reading,

Mr. Robbins moved to amend said bill as follows:

On line 2, strike out the word "the" before the word "mayor" and insert the word "each."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pending the question on the final passage of said bill,
Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Finnigan	Keleher	Rider, J.J.	Sulzer
Babcock	Fish	Kelsey	Robbins	Taylor
Baker	Fuller	Kerr	Robertson	Terry, C W.
Burtis	Gardiner	Kern	Robinson	Terry, J.F.
Cahill	Gerst	Kerrigan	Robson	Thompson
Callahan	Gleason	Kneeland	Roche	Thornton
Carroll	Glenn	Lawson	Ryder, E.L.	Tilton
Cassin	Gould	Lee	Schoepflin	Tobin
Chambers	Gray	Matthews	Schulz, H	Trainor
Chapman	Harrigan	McDermott	Seibert	Tuttle
Clark, J. H.	Hennessy	Melody	Sheffield	Vacheron
Conklin	Herrman	Mitnacht	Sherwood	Van Amber
Cutler	Higbie	O'Donnell	Smith, M.F.	Wells
Dean	Hoefler	O'Grady	Smith, S.W.	Whittet
Denniston	Horton	Parkhurst	Southworth	Wilcox
Dinkelspiel	Hotaling	Plant	Stadtfeld	Wray
Dowling	Hoysradt	Porter	Stewart	Wyckoff
Eldredge	Keck	Prescott	Stone	Speaker
Fairbrother				

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Friday, Scanlon, Brownell, Lounsbury, Lasch, Hobbie, F. E. Clark, Marrin, Butts, Veshlage, Bush, Howe, Snyder, Schilinger, La Fetra, Nixon, Berry, Stevens, Messiter, Brennan and Foley, each of whom, upon giving satisfactory explanation for having been absent, was excused.

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate being had thereon,

Mr. Marrin moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 48 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kneeland	Scanlon	Terry, J.F.
Babcock	Fuller	Lawson	Schoepflin	Thompson
Baker	Gardiner	Lee	Schulz, F.F.	Thornton
Brownell	Gerst	Lounsbury	Schulz, H	Tilton
Burtis	Gould	Matthews	Seibert	Tuttle
Chambers	Gray	Messiter	Sheffield	Vacheron
Clark, F.E.	Higbie	Nixon	Sherwood	Van Amber
Clark, J. H.	Hobbie	O'Grady	Smith, M.F.	Wells
Conklin	Hoefer	Porter	Smith, S.W.	Whittet
Cutler	Horton	Prescott	Snyder	Wieman
Dean	Hotaling	Rider, J.J.	Stevens	Wilcox
Denniston	Howe	Robbins	Stewart	Wray
Eldredge	Keck	Robertson	Taylor	Wyckoff
Fairbrother	Kelsey	Robson	Terry, C.W	Speaker
Fish	Kern	Ryder, E.L.		

Those who voted in the negative, were

Berry	Corrigan	Herrman	McDermott	Roche
Brennan	Coughlin	Hoysradt	McKeon	Schillinger
Bush	Davidson	Keenan	Melody	Southworth
Butts	Dinkelspiel	Keleher	Mittnacht	Stadtfeld
Cahill	Dowling	Kerr	Myers	Stein
Cain	Finnigan	Kerrigan	O'Donnell	Sulzer
Callahan	Foley	La Fetra	Plant	Tobin
Carroll	Gleason	Lasch	Reilly	Trainor
Cassin	Harrigan	Loonan	Robinson	Vehslage
Chapman	Hennessy	Marrin		

When the name of Mr. Stone was called he asked to be and was excused from voting.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to notice previously given, Mr. Sheffield moved to suspend rules 3, 15, 16, 17, 28, 29 and 49 for the purpose of reading out of its order Assembly bill No. 1458, entitled "An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York,'" now on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer raised the point of order that under joint rule 21, a similar bill to this one having been defeated in the Senate, this bill could not now be considered.

Mr. Ainsworth raised the point of order that as no joint rules had been adopted by the House this session the rule mentioned by Mr. Sulzer could not apply.

Mr. Speaker ruled that even if the joint rules had been adopted the bill could be amended and be sent to the Senate in its new form.

Mr. Sulzer appealed from the decision of the chair.

Mr. Ainsworth moved to lay the appeal upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

{ AYES 67 }
{ NOES 42 }

Those who voted in the affirmative, were

Ainsworth	Fish	Lawson	Scanlon	Terry, C.W.
Babcock	Fuller	Lee	Schoepflin	Terry, J.F.
Baker	Gardiner	Lounsbury	Schulz, F.F.	Thornton
Brownell	Gerst	Matthews	Schulz, H	Tilton
Burtis	Gould	Messiter	Seibert	Tuttle
Chambers	Gray	Nixon	Sheffield	Vacheron
Clark, F.E.	Higbie	O'Grady	Sherwood	Van Amber
Clark, J. H.	Hoefler	Porter	Smith, M.F.	Wells
Conklin	Horton	Prescott	Smith, S.W.	Whittet
Cutler	Howe	Rider, J.J.	Snyder	Wieman
Dean	Keck	Robbins	Stevens	Wilcox
Denniston	Kelsey	Robertson	Stewart	Wray
Eldredge	Kern	Robson	Taylor	Wyckoff
Fairbrother	Kneeland			

Those who voted in the negative, were

Berry	Chapman	Keleher	McKeon	Roche
Brennan	Corrigan	Kerr	Melody	Schillinger
Bush	Davidson	Kerrigan	Mitnacht	Stadtfeld
Butts	Dinkelspiel	La Fetra	Myers	Stein
Cahill	Dowling	Lasch	O'Donnell	Sulzer
Cain	Finnigan	Loonan	Plant	Tobin
Callahan	Harrigan	Marrin	Reilly	Trainor
Carroll	Hoysradt	McDermott	Robinson	Vehslage
Cassin	Keenan			

Said bill having been announced for a third reading,

Mr. Sulzer moved to strike out the first section.

Mr. Sheffield moved to recommit said bill to the committee on affairs of cities with instructions to report forthwith amended as follows:

Page 1, line 7, change the word "fifteen" to the word "twenty."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sheffield, and it was determined in the affirmative.

{ AYES 69 }
{ NOES 48 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Robertson	Taylor
Babcock	Friday	Kneeland	Robson	Terry, C.W.
Baker	Fuller	Lawson	Scanlon	Terry, J.F.
Brownell	Gerst	Lee	Schoepflin	Thompson
Burtis	Glenn	Lounsbury	Schulz, F.F.	Tilton
Chambers	Gould	Matthews	Schulz, H	Tuttle
Clark, F.E.	Gray	Messiter	Seibert	Vacheron
Clark, J.H.	Higbie	Nixon	Sheffield	Van Amber
Conklin	Hobbie	O'Grady	Sherwood	Wells
Cutler	Hoefler	Parkhurst	Smith, M.F.	Whittet
Dean	Horton	Porter	Smith, S.W.	Wieman
Denniston	Howe	Prescott	Snyder	Wilcox
Eldredge	Keck	Rider, J.J.	Stewart	Wyckoff
Fairbrother	Kelsey	Robbins	Stone	

Those who voted in the negative, were

Berry	Corrigan	Herriman	McDermott	Roche
Brennan	Coughlin	Hoysradt	McKeon	Schillinger
Bush	Davidson	Keenan	Melody	Southworth
Butts	Dinkelspiel	Keleher	Mittnacht	Stadtfeld
Cahill	Dowling	Kerr	Myers	Stein
Cain	Finnigan	Kerrigan	O'Donnell	Sulzer
Callahan	Foley	La Fetra	Plant	Tobin
Carroll	Gleason	Lasch	Reilly	Trainor
Cassin	Harrigan	Loonan	Robinson	Vehslage
Chapman	Hennessy	Marrin		

The committee reported back said bill amended as instructed by the House.

After debate thereon,

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would

agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 76 {
} NOES 44 {

Those who voted in the affirmative, were

Ainsworth	Friday	Kneeland	Ryder, E.L.	Terry, C.W.
Babcock	Fuller	Lawson	Scanlon	Perry, J.F.
Baker	Gardiner	Lee	Schoepflin	Thompson
Braun	Gerst	Lounsbury	Schulz, F.F.	Thornton
Brownell	Glenn	Matthews	Schulz, H	Tilton
Burtis	Gould	Messiter	Seibert	Tuttle
Chambers	Higbie	Nixon	Sheffield	Vacheron
Clark, F.E.	Hobbie	O'Grady	Sherwood	Van Amber
Clark, J. H.	Hoefler	Parkhurst	Smith, M.F.	Wells
Conklin	Horton	Porter	Smith, S.W.	Whittet
Cutler	Hotaling	Prescott	Snyder	Wieman
Dean	Howe	Rider, J.J.	Stevens	Wilcox
Denniston	Keck	Robbins	Stewart	Wray
Eldredge	Kelsey	Robertson	Stone	Wyckoff
Fairbrother	Kern	Robson	Taylor	Speaker
Fish				

Those who voted in the negative, were

Berry	Corrigan	Keenan	McKeon	Schillinger
Brennan	Dinkelspiel	Keleher	Melody	Southworth
Butts	Dowling	Kerr	Mittnacht	Stadtfeld
Cahill	Finnigan	Kerrigan	Myers	Stein
Cain	Foley	La Petra	O'Donnell	Sulzer
Callahan	Gleason	Lasch	Plant	Tobin
Carroll	Hennessy	Loonan	Reilly	Trainor
Cassin	Herrman	Marrin	Robinson	Vehslage
Chapman	Hoysradt	McDermott	Roche	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to previous notice, Mr. Chambers moved to suspend Assembly rules 3, 15, 16, 17, 28, 29 and 49 for the purpose of reading out of its order Senate bill No. 949, entitled "An act to establish and maintain a police force in the city of Troy," now on the order of third reading.

Mr. Sulzer raised the point of order that under rule 52 this notice could not be now entertained, as it was not given under the order of business sought to be suspended.

Mr. Speaker ruled that the motion was now in order, the notice having been, by the records, given under the proper order of business.

Mr. Sulzer appealed from the decision of the chair.

Mr. Ainsworth moved to lay the appeal on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 63 }
 { NOES 34 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Kneeland	Robson	Taylor
Babcock	Gerst	Lawson	Scanlon	Terry, C.W.
Baker	Glenn	Lounsbury	Schoepflin	Terry, J.F.
Braun	Gould	Matthews	Schulz, F.F.	Thompson
Chambers	Higbie	Messiter	Schulz, H	Tilton
Clark, F.E.	Hobbie	Nixon	Seibert	Vacheron
Conklin	Hoefler	O'Grady	Sheffield	Van Amber
Dean	Horton	Parkhurst	Sherwood	Wells
Denniston	Hotaling	Porter	Snyder	Whittet
Eldredge	Howe	Prescott	Stevens	Wieman
Fairbrother	Keck	Rider, J.J.	Stewart	Wilcox
Fish	Kelsey	Robbins	Stone	Wyckoff
Friday	Kern	Robertson		

Those who voted in the negative, were

Berry	Corrigan	Kerrigan	O'Donnell	Stadtfeld
Brennan	Dowling	Lasch	Plant	Stein
Cahill	Foley	Marrin	Robinson	Sulzer
Cain	Gleason	McDermott	Roche	Tobin
Callahan	Keenan	Melody	Ryder, E.L.	Trainor
Cassin	Keleher	Mittnacht	Schillinger	Vehslage
Chapman	Kerr	Myers	Southworth	

Said bill having been announced for a third reading,

Mr. Sulzer moved to strike out the first section for the purpose of an explanation.

Debate being had thereon,

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	72
	NOES	43

Those who voted in the affirmative, were

Ainsworth	Fish	Kelsey	Robbins	Stone
Babcock	Friday	Kern	Robertson	Terry, C W.
Baker	Fuller	Kneeland	Robson	Terry, J.F.
Braun	Gardiner	Lawson	Scanlon	Thompson
Brownell	Gerst	Lee	Schoepflin	Tilton
Burtis	Glenn	Lounsbury	Schulz, F.F.	Tuttle
Chambers	Gould	Matthews	Schulz, H	Vacheron
Clark, F.E.	Gray	Messiter	Seibert	Van Amber
Clark, J. H.	Higbie	Nixon	Sheffield	Wells
Conklin	Hobbie	O'Grady	Sherwood	Whittet
Cutler	Hoefler	Parkhurst	Smith, M.F.	Wieman
Dean	Horton	Porter	Smith, S.W.	Wray
Denniston	Hotaling	Prescott	Snyder	Wyckoff
Eldredge	Howe	Rider, J.J.	Stevens	Speaker
Fairbrother	Keck			

Those who voted in the negative, were

Berry	Davidson	Keenan	McKeon	Schillinger
Brennan	Dinkelspiel	Keleher	Melody	Southworth
Cahill	Dowling	Kerr	Mittnacht	Stadtfeld
Cain	Foley	Kerrigan	Myers	Stein
Callahan	Gleason	La Petra	O'Donnell	Sulzer
Carroll	Harrigan	Lasch	Plant	Tobin
Cassin	Hennessy	Loonan	Robinson	Trainor
Corrigan	Herrman	Marrin	Roche	Vehslage
Coughlin	Hoysradt	McDermott		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Wray moved to take from the table the motion to reconsider the vote by which Senate bill No. 629, Rec. No. 165, was lost.

Mr. Hennessy raised the point of order that that bill was never laid on the table.

The chair ruled the point of order not well taken, as the journal shows that the motion of Mr. Wray to lay the motion to reconsider the vote by which said bill was lost was adopted.

Mr. Sulzer appealed from the decision of the chair.

Mr. Ainsworth moved to lay the appeal upon the table.

Mr. Speaker put the question whether the House would agree

to said motion of Mr. Ainsworth, and it was determined in the affirmative.

{ AYES 66
{ NOES 39 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kneeland	Robertson	Terry, C.W.
Babcock	Fuller	Lawson	Robson	Terry, J.F.
Baker	Gerst	Lee	Scanlon	Thompson
Brownell	Glenn	Lounsbury	Schoepflin	Thornton
Burtis	Gould	Matthews	Schulz, F.F.	Tilton
Chambers	Higbie	Messiter	Schulz, H	Vacheron
Clark, F.E.	Hobbie	Nixon	Seibert	Van Amber
Clark, J. H.	Horton	O'Grady	Sherwood	Wells
Conklin	Hotaling	Parkhurst	Smith, M.F.	Whittet
Cutler	Howe	Porter	Snyder	Wieman
Dean	Keck	Prescott	Stevens	Wilcox
Denniston	Kelsey	Rider, J.J.	Stewart	Wray
Fairbrother	Kern	Robbins	Stone	Wyckoff
Fish				

Those who voted in the negative, were

Berry	Corrigan	Harrigan	Marrin	Schillinger
Brennan	Coughlin	Herrman	McKeon	Southworth
Butts	Davidson	Hoysradt	Melody	Stadtfeld
Cahill	Dinkelspiel	Keleher	Mittnacht	Stein
Callahan	Dowling	Kerr	Myers	Sulzer
Carroll	Finnigan	Kerrigan	O'Donnell	Tobin
Cassin	Foley	La Fetra	Robinson	Vehslage
Chapman	Gleason	Loonan	Ryder, E.L.	

Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Dean	Howe	Parkhurst	Stewart
Babcock	Denniston	Hoysradt	Plant	Stone
Baker	Dinkelspiel	Keck	Porter	Sulzer
Berry	Dowling	Keleher	Prescott	Taylor
Braun	Eldredge	Kelsey	Rider, J. J.	Terry, C. W.
Brennan	Fairbrother	Kerr	Robbins	Terry, J. F.
Brownell	Fish	Kerrigan	Robertson	Thompson
Burtis	Foley	Kneeland	Robinson	Thornton
Butts	Friday	La Fetra	Robson	Tilton
Cahill	Fuller	Lawson	Roche	Tobin
Callahan	Gerst	Lee	Ryder, E. L.	Trainor
Carroll	Gleason	Loonan	Scanlon	Tuttle

Cassin	Glenn	Marrin	Schillinger	Vacheron
Chambers	Gould	Matthews	Schoepflin	Van Amber
Chapman	Gray	McKeon	Schulz, F. F.	Vehslage
Clark, F. E.	Harrigan	Melody	Schulz, H.	Wells
Clark, J. H.	Hennessey	Messiter	Sherwood	Whittet
Conklin	Herrmann	Mittnacht	Smith, M. F.	Wieman
Corrigan	Higbie	Myers	Snyder	Wilcox
Coughlin	Hobbie	Nixon	Stadtfeld	Wray
Cutler	Horton	O'Donnell	Stein	Wyckoff
Davidson	Hotaling	O'Grady	Stevens	109

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question on the motion of Mr. Wray to take from the table, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 62 }
{ NOES 42 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kern	Robson	Terry, J.F.
Babcock	Friday	Kneeland	Schoepflin	Thompson
Baker	Fuller	Lawson	Schulz, H	Thornton
Braun	Gerst	Lounsbury	Seibert	Tilton
Brownell	Gould	Matthews	Sheffield	Tuttle
Burtis	Gray	Messiter	Sherwood	Vacheron
Chambers	Higbie	Nixon	Smith, M.F.	Van Amber
Clark, J. H.	Hobbie	O'Grady	Smith, S.W.	Wells
Conklin	Hoefer	Parkhurst	Snyder	Whittet
Cutler	Horton	Porter	Stevens	Wilcox
Dean	Hotaling	Prescott	Stewart	Wray
Denniston	Howe	Rider, J.J.	Stone	Wyckoff
Eldredge	Keck	Robbins	Terry, C.W.	Speaker
Fairbrother	Kelsey	Robertson		

Those who voted in the negative, were

Berry	Davidson	Keenan	McKeon	Roche
Bush	Dinkelspiel	Keleher	Melody	Southworth
Butts	Dowling	Kerr	Mittnacht	Stadtfeld
Cahill	Foley	Kerrigan	Myers	Stein
Callahan	Gleason	La Fetra	O'Donnell	Sulzer

Carroll	Harrigan	Lasch	Plant	Tobin
Cassin	Hennessy	Loonan	Reilly	Trainor
Chapman	Herrman	McDermott	Robinson	Vehslage
Coughlin	Hoysradt			

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
{ NOES 43 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robbins	Terry, C.W.
Babcock	Fuller	Kern	Robertson	Terry, J.F.
Baker	Gardiner	Kneeland	Robson	Thompson
Braun	Gerst	Lawson	Schoepflin	Thornton
Brownell	Glenn	Lee	Schulz, H	Tilton
Burtis	Gould	Lounsbury	Seibert	Tuttle
Chambers	Gray	Matthews	Sheffield	Vacheron
Clark, J. H.	Higbie	Messiter	Sherwood	Van Amber
Conklin	Hobbie	Nixon	Smith, M.F.	Wells
Cutler	Hoefer	O'Grady	Smith, S.W.	Whittet
Dean	Horton	Parkhurst	Snyder	Wilcox
Denniston	Hotaling	Porter	Stevens	Wray
Eldredge	Howe	Prescott	Stewart	Wyckoff
Fairbrother	Keck	Rider, J.J.	Stone	Speaker
Fish				

Those who voted in the negative, were

Berry	Coughlin	Keenan	McKeon	Schillinger
Brennan	Dinkelspiel	Keleher	Melody	Southworth
Bush	Dowling	Kerr	Mittnacht	Stadtfeld
Butts	Finnigan	Kerrigan	Myers	Stein
Cahill	Foley	La Fetra	O'Donnell	Sulzer
Callahan	Gleason	Lasch	Plant	Tobin
Carroll	Harrigan	Loonan	Robinson	Trainor
Cassin	Herrman	Marrin	Roche	Vehslage
Chapman	Hoysradt	McDermott		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. E. L. Ryder moved to take from the table the motion to reconsider the vote by which Senate bill (No. 475) entitled "An

act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Westchester county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Westchester, and to fix the duties and compensation of the sheriff of said county of certain employes in the jail in said county" (Rec. No. 137) was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
 { NOES 41 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Robson	Taylor
Babcock	Fuller	Kneeland	Ryder, E.L.	Terry, C.W.
Baker	Gardiner	Lawson	Scanlon	Terry, J.F.
Braun	Gerst	Lee	Schoepflin	Thompson
Brownell	Glenn	Lounsbury	Schulz, F.F.	Tilton
Burtis	Gould	Matthews	Schulz, H	Tuttle
Carroll	Gray	Messiter	Seibert	Vacheron
Chambers	Higbie	Nixon	Sheffield	Van Amber
Clark, F.E.	Hobbie	O'Grady	Sherwood	Wells
Conklin	Hoefler	Parkhurst	Smith, M.F.	Whittet
Cutler	Horton	Porter	Smith, S.W.	Wieman
Dean	Hotaling	Prescott	Snyder	Wilcox
Denniston	Howe	Rider, J.J.	Stevens	Wray
Eldredge	Keck	Robbins	Stewart	Wyckoff
Fairbrother	Kelsey	Robertson	Stone	Speaker
Fish				

Those who voted in the negative, were

Berry	Coughlin	Herrman	McDermott	Roche
Brennan	Davidson	Keenan	McKeon	Schillinger
Bush	Dinkelspiel	Keleher	Melody	Southworth
Cahill	Dowling	Kerrigan	Myers	Stein
Cain	Finnigan	La Fetra	O'Donnell	Sulzer
Callahan	Gleason	Lasch	Plant	Tobin
Cassin	Harrigan	Loonan	Reilly	Trainor
Chapman	Hennessy	Marrin	Robinson	Vehslage
Corrigan				

Mr. Fish moved to extend the time of the session for the consideration of said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer moved to recommit said bill to the committee on internal affairs with instructions to report said bill forthwith amended as follows:

Amend section 1 to read as follows:

"Section 1. The sheriff of Westchester county shall receive his fees and perquisites in all civil cases in which the same are to be paid by private persons, which fees shall be at the same rate and in the same amount provided by law to be paid to the sheriff of the city and county of New York, and to the city and county of New York for sheriff's services, and the sheriff shall be entitled to the whole of such fees, and in addition thereto he shall receive an annual salary of not less than eight, nor not more than \$12,000, to be fixed by the board of supervisors of Westchester county, and to be paid quarterly by the treasurer of Westchester county in full of all fees or other compensation from the county of Westchester, except as herein provided, and he shall not receive from the county of Westchester any fees, compensation or perquisite of any kind or nature, excepting as herein provided, excepting only his aforesaid salary and in consideration of which he shall do and perform all duties now or which may hereafter be imposed upon him by law, including the service of subpoenas issued by the district attorney, for which he shall be paid the legal fees, without fees or reward from the county of Westchester, but he shall be entitled to his and his assistant's actual disbursements for travel, lodging, food expenses while attending to the transportation of any persons whom he is required by law to transport where the cost of such transportation is made by law a county charge. The aforesaid disbursements and expenses shall be fixed, allowed, audited and paid by the county treasurer of Westchester county, when bills therefor shall be presented by the sheriff in the form and with the verification required by law in the case of claims presented to the board of supervisors of Westchester county. The sheriff shall receive from the county treasurer, and be allowed for a clerk \$1,200 a year, two deputy sheriffs \$1,500 a year each, and for a jailor to be employed in the jail in the county of Westchester, the sum of \$1,200 a year, each to be paid in monthly payments. The said jailor shall, in addition to his other duties to be prescribed by the sheriff, keep under the supervision and direction of said sheriff the jailor's "docket" of persons hereinafter mentioned. The sheriff shall also receive from the county treasurer, and be allowed for a day watchman at the jail, the sum of \$600 a year, and for a night watchman at the jail, the sum of \$600 a year, and for a cook and other servants together, the sum of \$500 a year, which sums shall be paid in monthly payments. The sheriff may also appoint a counsel who shall receive an annual salary of not less than \$2,000,

to be paid quarterly by the county treasurer of Westchester county, such salary shall be fixed by the board of supervisors, but the sheriff and said counsel shall each receive the minimum rate of salary above specified until the salary shall be fixed by the board of supervisors."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

} AYES 42 }
 } NOES 70 }

Those who voted in the affirmative, were

Berry	Corrigan	Keleher	McKeon	Schillinger
Brennan	Coughlin	Kerr	Melody	Southworth
Bush	Davidson	Kerrigan	Myers	Stadtfeld
Butts	Dowling	La Fetra	O'Donnell	Stein
Cahill	Foley	Lasch	Plant	Sulzer
Cain	Gleason	Loonan	Reilly	Tobin
Callahan	Harrigan	Marrin	Robinson	Trainor
Cassin	Heirman	McDermott	Roche	Vehslage
Chapman	Keenan			

Those who voted in the negative, were

Ainsworth	Eldredge	Lee	Schoepflin	Terry, J.F.
Babcock	Fairbrother	Lounsbury	Schulz, F.F.	Thompson
Baker	Fish	Matthews	Schulz, H.	Thornton
Braun	Friday	Messiter	Seibert	Tilton
Brownell	Fuller	Nixon	Sheffield	Tuttle
Burtis	Gray	O'Grady	Sherwood	Vacheron
Carroll	Higbie	Parkhurst	Smith, M.F.	Van Amber
Chambers	Hobbie	Porter	Smith, S.W.	Wells
Clark, F.E.	Horton	Prescott	Snyder	Whittet
Clark, J.H.	Howe	Rider, J.J.	Stevens	Wieman
Conklin	Kelsey	Robbins	Stewart	Wilcox
Cutler	Kern	Robertson	Stone	Wray
Dean	Kneeland	Robson	Taylor	Wyckoff
Denniston	Lawson	Ryder, E.L.	Terry, C.W.	Speaker

Mr. E. L. Ryder moved to recommit Senate bill No. 475 to the committee on the judiciary with instructions to amend said bill as follows and report the same forthwith:

Section 1, line 4, after the word "salary" strike out the words "six thousand dollars" and insert the words "not to exceed the sum of ten thousand dollars to be fixed by the board of supervisors."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The committee reported back said bill amended as instructed by the House.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 39 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kelsey	Ryder, E.L.	Terry, C.W.
Babcock	Friday	Kern	Scanlon	Terry, J.F.
Baker	Fuller	Lawson	Schoepflin	Thompson
Braun	Gardiner	Lee	Schulz, F.F.	Thornton
Brownell	Gerst	Lounsbury	Schulz, H	Tilton
Burtis	Glenn	Matthews	Seibert	Tuttle
Carroll	Gould	Messiter	Sheffield	Vacheron
Chambers	Gray	Nixon	Sherwood	Van Amber
Clark, F.E.	Higbie	O'Grady	Smith, M.F.	Wells
Clark, J. H.	Hobbie	Porter	Smith, S.W.	Whittet
Conklin	Hoefer	Prescott	Snyder	Wieman
Cutler	Horton	Rider, J.J.	Stevens	Wilcox
Dean	Hotaling	Robbins	Stewart	Wray
Denniston	Howe	Robertson	Stone	Wyckoff
Eldredge	Keck	Robson	Taylor	Speaker
Fairbrother				

Those who voted in the negative, were

Berry	Corrigan	Herrman	McKeon	Southworth
Brennan	Davidson	Keenan	Melody	Stadtfield
Bush	Dowling	Keleher	Myers	Stein
Butts	Finnigan	Kerrigan	O'Donnell	Sulzer
Cahill	Foley	Lasch	Plant	Tobin
Callahan	Gleason	Loonan	Robinson	Trainor
Cassin	Harrigan	Marrin	Roche	Vehslage
Chapman	Hennessy	McDermott	Schillinger	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendment.

By unanimous consent,

Mr. Parkhurst offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill No. 276, entitled "An act to amend chapter 538 of the Laws of 1889, entitled 'An act to apply to the Cornell University the benefits of the act of Congress of the United States, approved March 2, 1887, entitled An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto'" (Int. No. 272), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1654) entitled "An act to amend chapter 217 of the Laws of 1879, entitled 'An act in relation to oil wells' as amended by chapter 64 of the Laws of 1882, so as to embrace gas wells" (Int. No. 1418), reported the same with the recommendation that it be amended as follows:

Page 2, line 3, change the word "of" to "or."

Same page, line 6, strike out the word "in" and insert the word "the."

Amend the title by striking out the words "as amended by chapter 64 of the Laws of 1882, so as to embrace gas wells."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1427) entitled "An act in relation to canal boat mortgages" (Int. No. 1663), reported the same with the recommendation that it be amended as follows:

Page 2, lines 2 and 3, strike out the words "chapter 412 of the Laws of 1864" and insert the word "act."

Amend the title so as to read as follows:

"An act to amend chapter 412 of the Laws of 1864, entitled 'An act to amend an act entitled An act to provide for the registry of liens and incumbrances upon boats navigating the canals in this State,' in relation to canal boat mortgages."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation :

“An act to amend chapter 134 of the Laws of 1851, entitled ‘An act in relation to weights and measures.’” (No. 1656, Int. No. 1420.)

“An act to provide for the issue of bonds for the extension of that portion of Van Cortlandt park designated as a military parade, camp and drill ground in the city of New York.” (No. 1577, Int. No. 1339.)

“An act to amend chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ relating to district courts.” (No. 850, Int. No. 785.)

Ordered, That said bills be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1680) entitled “An act to amend chapter 262 of the Laws of 1855, entitled ‘An act revising and amending an act entitled An act to incorporate the village of Ulster,’ and the acts amendatory thereof” (Int. No. 1444), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, strike out the words “said act” and insert the words “chapter 262 of the Laws of 1855, entitled ‘An act revising and amending an act entitled An act to incorporate the village of Ulster.’”

Same page, line 1, strike out the words “section 2.”

Same page, line 2, strike out the word “of” at the beginning of the line.

Same page, line 3, strike out the words “section 5 of.”

Page 2, line 2, add the letter “s” to the word “statement.”

Same page, line 4, strike out the comma after the word “power,” and strike the letter “s” from the word “covers.”

Same page, line 15, strike out all of said line after the word “of” and insert the words “said act.”

Same page, line 16, strike out the words “the Laws of 1855.”

Page 3, line 13, strike out the words “chapter 262” and insert the words “said act.”

Same page, line 14, strike out the words “of the Laws of 1855.”

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1456) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1210), reported the same with the recommendation that it be amended as follows:

Page 12, line 13, after the word "routes" insert a comma.

Same page, line 16, after the word act insert a comma.

Page 15, line 23, after the word "road" insert a comma.

Page 21, line 2, change the word "this" to the word "the."

Page 22, line 3, after the word "map" insert the letter "s" so as to read "maps."

Page 28, line 26, strike out the letter "o" from the word "advisor" to read "adviser."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1646) entitled "An act to enable the city of Albany to procure additional land for park purposes" (Int. No. 1410), reported the same with the recommendation that it be amended as follows:

Page 2, line 7, begin the word "central" with a capital letter.

Same page, line 9, begin the word "central" with a capital letter.

Page 3, line 11, strike out the word "said," and after the word "chamberlain" insert the words "of said city."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1620) entitled "An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown'" (Int. No. 1380), reported the same with the recommendation that it be amended as follows:

Page 4, line 21, strike out the word "said."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1700) entitled "An act to regulate the compelling of the attendance and testimony of witnesses, amending section 867 of the Code of Civil Procedure" (Int. No. 1257), reported the same with the recommendation that it be amended as follows :

Page 1, line 3, after "§ 867" insert the words "Production of book of account or papers—."

Amend the title so as to read as follows :

"An act to amend the Code of Civil Procedure, relating to production of book of account or papers.

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1548) entitled "An act to amend chapter 277, of the Laws of 1889, entitled 'An act to amend chapter 420 of the Laws of 1880, entitled An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company'" (Int. No. 1349), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, strike out the letter "s" from the word "sections;" also, in same line, strike out the words "and two," and the words "two hun."

Same page, strike out lines 2, 3, 4 and 5.

Page 2, line 2, capitalize the words "suspension," "bridge," "new," "railway" and "company."

Same page, line 4, prefix the word "further," and insert after the word "follows" the words "as amended by chapter 420 of the Laws of 1880, and chapter 277 of the Laws of 1889."

Same page, strike out lines 5, 6, 7, 8, 9, 10 and 11.

Same page, line 18, change the figure "3" to "2."

Same page, line 20, change the figure "4" to "3."

Line 12, strike out the figure "2" and insert the figure "1," also, after the word "bridge" insert the words "of the Hudson Suspension Bridge and New England Railway Company."

Amend the title so as to read as follows :

"An act to amend chapter 123 of the Laws of 1874, entitled 'An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company and the acts amendatory thereof.'"

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1627) entitled "An act to amend chapter 305 of the Laws of 1891, entitled "An act to revise, amend and consolidate the several acts in relation to the village of Bath-on-the-Hudson, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts" (Int. No. 1388), reported the same with the recommendation that it be amended as follows :

Page 1, line 1, strike out the word "Said."

Same page, commence line 3 with the following words "entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Bath-on-the-Hudson, and to revise and amend the charter of said village and to repeal certain acts and parts of acts.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1728) entitled "An act to amend chapter 254 of the Laws of 1890, entitled 'An act to authorize a public cemetery in the town of Williamstown, Oswego county'" (Int. No. 1473), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, change the word "two" to the word "four," and change the word "fifty-four" to the word "sixty-seven."

Same page, line 2, change the word "ninety" to the word "seventy-one."

Same page, line 4, after the word "county" insert the words "as amended by chapter 254 of the Laws of 1890."

Page 2, line 6, strike off the letter "s" from the word "expenses."

Amend the title so as to read as follows:

"An act to amend chapter 467 of the Laws of 1871, entitled 'An act to authorize a public cemetery in the town of Williamstown, Oswego county.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was

referred the bill (No. 1693), entitled "An act to secure a more equitable and complete assessment of all taxable property of the State" (Int. No. 388), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, change the figure "3" to "1."

Same page, line 8, change the figure "4" to "2."

Page 2, line 3, strike out the word "He" and insert the words "said State assessors so assigned."

Same page, line 6, insert a comma after the word "value" and begin the word "He" with a small "h."

Same page, line 14, change the figure "5" to "3," and after the word "The" insert the word "State."

Same page, line 15, after the word "year" insert "after 1894." Same page, line 17, after the word "assessors" strike out the dash and insert a semicolon.

Same page, line 24, change the figure "6" to "4."

Page 3, line 3, strike out the words "for this purpose he."

Same page, strike out all of lines 4, 5, 6, 7, 8 and 9, and up to and including the word "it" in line 10; also, before the word "shall" insert the word "It," and place a period after the word "corporation" in line 3.

Same page, line 18, strike off the letter "s" from the word "followings."

Same page, line 20, change the word "librarys" to "libraries."

Same page, line 21, insert a semicolon after the word "merchants," and begin the next word "An" with a small "a."

Same page, line 23, strike out the comma after the word "dollars."

Same page, line 25, change the word "manufactured" to "manufactories."

Same page, line 26, insert a semicolon after the word "implements."

Page 4, line 2, change the word "effect" to "affect."

Same page, line 5, change the figure "7" to "5."

Same page, line 7, insert a comma after the word "taxation" and begin the next word "The" with a small "t."

Same page, line 11, strike out the semicolon and insert a comma after the word "property."

Same page, line 15, strike out the semicolon and insert a comma after the word "board."

Same page, line 24, strike out the word "any" and insert the word "my."

Page 5, line 3, change the figure "8" to "6."

Same page, line 11, strike out the words "one dollar" and insert the word "any."

Same page, line 18, change the figure "9" to "7."

Same page, line 21, strike out the word "as."

Page 6, line 10, change the figures "10" to "8."

Same page, line 16, change the figures "11" to "9."

Same page, line 18, change the figures "12" to "10."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1188) entitled "An act to establish the Collins Farm State Homeopathic Hospital for the Insane" (Int. No. 921), reported the same with the recommendation that it be amended as follows :

Page 2, line 8, insert the letter "s" in the word "successors."

Same page, line 16, strike the letter "s" from the word "jails."

Page 6, line 10, strike out the word "directors" and insert the word "managers."

Same page, line 16, strike out the figure "4" and insert the figure "3"; also, in same line, strike out the letter "d" from the word "made" and insert a letter "k" so as to read "make."

Same page, line 19, strike out the figure "5" and insert the figure "4."

Same page, line 24, strike out the figure "6" and insert the figure "5."

Page 7, line 1, strike out the figure "7" and insert the figure "6," also, strike out the word "in."

Same page, line 3, add the letter "s" to the word "instruction."

Same page, line 5, strike out the figure "8" and insert the figure "7."

Same page, line 8, strike out the figure "1" and insert the figure "8."

Same page, line 12, strike out the comma after the word "report."

Same page, line 13, strike out the figures "10" and insert the figure "9."

Page 9, line 12, add the letter "s" to the word "receipt," also, the letter "s" to the word "payment."

Same page, line 19, add the letter "s" to the word "receipt," also, in same page, same line, add the letter "s" to the word "payment."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1729) entitled "An act to revise the charter

of the city of Elmira " (Int. No. 1462), reported the same with the recommendation that it be amended as follows:

Page 13, line 15, change the word "shall" to "will."

Page 14, line 21, change the word "by" to "be."

Page 15, line 10, strike out the quotation marks before and after the words "city hall."

Page 22, line 3, add the letter "s" to the word "building."

Same page, line 9, prefix "b" to "b."

Same page, line 12, prefix "w" to "w."

Page 26, line 23, change the word "ell" to "all."

Page 29, line 25, strike out comma after the word "fixtures."

Page 48, line 22, change the word "thereof" to "hereof."

Page 63, line 10, omit the letter "f" from the word "fthe" and add the letter "f" to "o."

Page 82, line 1, insert the letter "l" in the word "offal."

Page 84, line 24, insert the figures "103" before the word "said."

Page 87, line 5, insert a hyphen after "pre."

Page 93, line 1, strike out the letter "e" last appearing in the word "termes."

Page 95, line 2, change the word "crattels" to "chattels."

Same page, line 14, strike out the letter "e" second occurring in the word "receovered."

Page 109, line 24, strike out the letter "l" in the word "lbe," and add the letter "l" to the word "shal."

Page 138, line 2, change the word "if" to "is."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The privileges of the floor were extended to Hon. George P. Webster, a former member of this House.

The Senate returned the following entitled bill:

"An act to amend chapter 304 of the Laws of 1892, entitled 'An act to provide for the appointment of a board of water commissioners for the city of Albany.'" (No. 776, Int. No. 725.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 40 of the Laws of 1888, as amended by chapter 193 of the Laws of 1893, entitled 'An act to incorporate the city of Hornellsville.'" (No. 1604, Int. No. 501.)

"An act for the relief of John C. Ham, formerly of New York city, now residing at New Rochelle, Westchester county, and to

authorize the comptroller of the city of New York to inquire into the claim of said John C. Ham, and to issue revenue bonds to pay the same, and to authorize the board of estimate and apportionment of said city to make provision to pay said revenue bonds." (No. 1399, Int. No. 483.)

"An act making an appropriation for raising and lengthening the approach to Bullard's bridge in the county of Saratoga, and State bridge No. 108 in the county of Washington." (No. 853, Int. No. 788.)

"An act to amend the insurance law, relating to exemption of certain societies and lodges." (No. 248, Int. No. 249.)

"An act to amend section 5 of chapter 580 of the Laws of 1888, entitled 'An act relative to the Normal College of the City of New York.'" (No. 950, Int. No. 853.)

"An act making appropriations for the promotion of agriculture in this State." (No. 1465, Int. No. 542.)

"An act to amend the Code of Civil Procedure, relating to sheriffs' fees." (No. 1256, Int. No. 1120.)

"An act to authorize the acquisition of a neglected cemetery in the town of Preble, Cortland county." (No. 622, Int. No. 581.)

"An act to amend the Code of Criminal Procedure, relating to application for certificate of stay, not to be granted." (No. 1271, Int. No. 986.)

"An act to amend the Code of Civil Procedure, relating to jurors' fees in justices' courts." (No. 991, Int. No. 905.)

"An act to amend the general corporations law, in relation to limitations upon the amount of property of non-stock corporations." (No. 1188, Int. No. 1056.)

"An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims of William Drury and Lewis S. Van Arnum, or either of them, against the State, and to make an award therefor." (No. 721, Int. No. 676.)

"An act to provide for the removal of the bridge over the Erie canal at Porter avenue, in the city of Buffalo, to Jersey street in said city, and for the construction of a new bridge at Porter avenue in said city, and making an appropriation therefor." (No. 935, Int. No. 854.)

"An act to amend chapter 53 of the Laws of 1877, entitled 'An act relative to lands in the city of New York devised by Charlotte E. Jenkins, late of said city, deceased, authorizing the

mortgaging or sale thereof, and the disposition of the proceeds thereof in accordance with the provisions of the will of said deceased." (No. 931, Int. No. 850.)

"An act to amend the charter of the city of Ithaca, relating to overseer of the poor." (No. 1186, Int. No. 1054.)

"An act to enable physicians and surgeons, long residents and citizens of this State, who have omitted to register their diplomas to do so." (No. 871, Int. No. 798.)

"An act in relation to police officers' wearing apparel in the city of Brooklyn." (No. 1124, Int. No. 892.)

"An act to amend chapter 330 of the Laws of 1883, entitled 'An act to supply the city of Schenectady with water,' relating to the Schenectady water works." (No. 584, Int. No. 545.)

"An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claim of Beckwith and Quackenbush against the State." (No. 787, Int. No. 738.)

"An act to correct manifest errors in chapters 66 and 67 of the Laws of 1894, relating to the village of Lansingburgh." (No. 1423, Int. No. 1139.)

"An act to amend the public officers' law, in relation to the validation of official acts performed before filing an official oath or undertaking." (No. 1189, Int. No. 1057.)

"An act to amend the railroad law, relating to receipts for freight." (No. 846, Int. No. 781.)

"An act to prohibit the obstruction of the flow of surface waters within the State, so as to prevent the natural discharge thereof from lands above such obstruction." (No. 344, Int. No. 335.)

"An act to amend chapter 118 of the Laws of 1891, entitled 'An act to amend sections 52 and 54 of title 11 of chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to boiler inspection." (No. 945, Int. No. 865.)

"An act making an appropriation for repairing the State armory at Auburn and enlarging its drill room, and to provide for the exchange of certain portions of the armory lot for adjoining land, and for the acquisition of others adjoining land, and appointing a commission therefor." (No. 326, Int. No. 317.)

"An act to amend chapter 437 of the Laws of 1890, entitled 'An act for the protection and education of farmers and manufacturers in the purchase and sale of fertilizers.'" (No. 614, Int. No. 573.)

"An act to amend chapter 266 of the Laws of 1893, entitled 'An act to amend, revise and consolidate the acts relating to the village of Horseheads, in Chemung county, and enlarge the powers of the corporation of said village.' (Not printed, Int. No. 1312.)

"An act to legalize the grant of land under water, heretofore made by the commissioners of the land office of the State of New York to the village of Tonawanda." (No. 208, Int. No. 207.)

"An act appointing a committee to examine into the tenement-house question in the city of New York and to report to the next Legislature." (Not printed, Int. No. 1453.)

"An act to provide for the erection of suitable monuments, memorial structures and markers in honor of and to the memory of the soldiers of the State of New York who were engaged in military operations around Chattanooga, comprising the battles of Wauhatchie, Lookout Mountain, Missionary Ridge and Ringgold in 1863." (No. 1043, Int. No. 755.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to facilitate obtaining water from Skaneateles lake for the use of the city of Syracuse and its inhabitants." (Not printed, Rec. No. 135.)

"An act to amend certain sections of chapter 87 of the Laws of 1893, entitled 'An act to amend chapter 335 of the Laws of 1868, entitled An act to incorporate the city of Ogdensburg and the acts amending the same.'" (No. 758, Rec. No. 248.)

Ordered, That the Clerk return said bills to the Senate.

The House then took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to make further provisions for the erection of an armory in the county of Kings for the Fourteenth regiment, National Guard, State of New York." (No. 1102, Int. No. 1005.)

"An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York,' relating to appointment of deputies and compensation." (No. 1471, Int. No. 360.)

"An act to authorize the construction of free bridges across the Hudson river, north of the village of Stillwater." (No. 36, Int. No. 39.)

"An act making an appropriation for the disbursement of moneys paid into the treasury in pursuance of the provisions of chapter 479 of the Laws of 1887, and the acts amendatory thereof." (Not printed, Int. No. 1484.)

"An act in relation to deeds and tax sales in the city of Brooklyn." (No. 1028, Int. No. 869.)

"An act making an appropriation for repairing and reconstructing the State armory and drill-room at Walton, and to provide for the acquisition of additional land, and appointing a commission therefor." (No. 360, Int. No. 346.)

"An act to amend the Penal Code, relative to loans on personal credit." (No. 800, Int. No. 34.)

"An act to provide means for constructing and repairing ditches for carrying off the back water from the lands in the town of Wheatfield, in the county of Niagara, occasioned by the erection of the State dam for canal purposes across the Tonawanda creek near its mouth in the village of Tonawanda." (No. 285, Int. No. 281.)

"An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of Mary Jane Charlton against the State, and to make an award therefor." (No. 905, Int. No. 833.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Sulzer offered for the consideration of the House a resolution, in the words following:

Whereas, The bad ventilation in the Assembly Chamber has caused a great deal of illness among the members, and they are frequently complaining about the same and asking that steps be taken by which the chamber can be properly ventilated; therefore, be it

Resolved, That the Superintendent of Public Buildings be and he is hereby requested and directed to open the windows of the Assembly Chamber one hour prior to the meeting of the Assembly in the morning and one hour prior to its meeting in the after-

noon, and take such other action in the matter as he may deem advisable.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the calendar of the day.

The Senate bill (No. 333) entitled "An act to establish a State board of undertakers and to regulate the practice of undertaking" (Int. No. 186), having been announced for a third reading,

Pending the question,

A communication from the Governor, by the hands of his private secretary, was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 19, 1894.* }

To the Legislature :

The fact that the Legislature is soon to adjourn without date impels me to call your attention to certain suggestions of my recent annual message which remain unacted upon.

One of these related to the removal of superintendents of reformatories and other State institutions. At present these officers are almost without exception removable by the local boards of trustees who are intrusted with the management of the institution. For obvious reasons the local boards of managers may not be so well fitted to pass upon charges affecting their executive officers as would some central authority like the Governor. The power of removal is a wholesome one, and when well guarded against arbitrary or unjust exercise is essential to good administration. If lodged with the Governor, in the case of superintendents of State institutions, or with some other responsible central officer, it would furnish a direct and prompt means of ascertaining the guilt or innocence of the accused, free from possible local prejudices or considerations. Any statute conferring such power should provide that no removal should have effect, except upon the formal presentation of charges, and after an opportunity to the accused to be heard in his own defense. The power of appointment to fill vacancies, caused by removal, should be lodged where it is now, with the local managers.

A case in illustration is that of the New York State Reformatory at Elmira. The law gives the local board of managers of that institution the sole power of appointment and removal of the superintendent. The State Board of Charities, having no power to enforce its conclusions or recommendations, has investigated charges against the superintendent of this institution and has made a report containing certain alleged findings of fact and

recommendations, not to the local board of managers, not to the Governor, but to the Legislature, and the Legislature has taken no action thereon. Thereupon the report of the State Board of Charities is used by private individuals as a basis for preferring charges to me, not against the superintendent—for I have no power of removal over him—but against the local board of managers, whom I am authorized to remove after giving them an opportunity to be heard in their own defense. This opportunity I have given them by appointing a commission of well-known and able men to take testimony. The charge against them is substantially that they have retained an unfit man in the position of superintendent, and the determination of their culpability naturally involves the trial of his culpability. Thus the whole proceeding is necessarily complicated, while the same object could have been speedily attained by a direct investigation and determination, if the Governor had had the power which I have asked you to give him.

With numerous other State institutions similarly situated, a similar condition of affairs may at any time arise, and there would be the same absence of any direct remedy. It is with a view to such possible emergencies that I venture again to call this matter to your attention and urge its favorable consideration. Such a power would never be abused by a conscientious Executive, and it would provide a prompt remedy for maladministration.

I would suggest also in this connection the propriety of legislation authorizing the Executive to require the State Board of Charities to investigate any matters affecting institutions whose managers are Executive appointees, and to report directly to the Executive, to the end that such action may be taken in the premises as he may have power to take. Such investigations by the Board of Charities are now largely voluntary, and the report goes to the Legislature, whether its substance calls for legislative or executive action.

Another subject relating to the Elmira reformatory, to which I called your attention in my annual message, and which still remains unacted upon, is that of transfers from the reformatory to the State prisons. I alluded in that communication to the large number of these transfers—a larger number than the law authorizing them contemplated—and I pointed out how these transfers are not only antagonistic to the reformatory idea, but how the effect of them is to inflict upon the transferred convicts the longest term prescribed by the Penal Code for their offenses. The injustice of this is appreciated when it is considered that the prisoners are not old offenders, but are undergoing punishment for their first felony, and that the purpose of sending them to the reformatory was to administer a

light punishment, and, if possible, to effect their reformation. It is quite likely that a court would modify such sentences if it was known at the time that a convict would serve in a State prison most of the maximum term for his offense. This is shown by the letters which I have received from judges and district attorneys, in reference to more than seventy applications for pardon now pending before me. All of these applications are those of convicts transferred from the Elmira reformatory, and all are recommended by the judge and district attorney of the court in which the conviction was secured, on the ground that the convicts have already served sufficient time for their offenses. If I should extend clemency in these cases upon this ground alone, it would tend to injure the discipline in the reformatory, for convicts could then hope by being refractory to be transferred to State prisons, when they could appeal for clemency with many precedents established for its exercise.

In my judgment, this system of transfers should be altogether abolished, or else so far modified as effectually to prohibit abuse. The managers ought not to be clothed with the arbitrary power of committing to prison for long terms persons sent by the courts to the reformatory for purposes of reformation. Transfers, if made at all, should be made only for good cause and upon application to the court in which the person sought to be transferred was convicted, so that the punishment may be properly adjusted, or else such other legal proceedings should be required as may be necessary to prevent injustice. Some legislation on this subject is imperatively needed.

Many of these transfers are rendered necessary by the lack of accommodations at the reformatory. The reasonable capacity of the institution is now about 1,000 men, but 1,400 are crowded in. Putting two prisoners in a cell is a fruitful source of crime and of violations of discipline, and should be prohibited. Proper provision should be made for relieving the institution of the care of at least 400 inmates, and a law should be passed limiting the number of convicts at any one time in the reformatory to 1,000 or less, and requiring that convicts sentenced to the reformatory, whose admission would exceed this limit, should not be received but should be resentenced to another institution. The number of reformatory prisoners can also be reduced by legislation excluding all United States convicts from the reformatory, and by the establishment of new reformatories.

ROSWELL P. FLOWER.

Mr. Sulzer moved that the communication lay upon the table and be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resumed the consideration of the pending question.

Debate was had thereon, when

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{	AYES	47
	NOES	41

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keleher	Nixon	Southworth
Berry	Douglas	Kerrigan	O'Grady	Stadtfeld
Brennan	Dowling	Kneeland	Porter	Sulzer
Burtis	Fairbrother	Ia Fetra	Reilly	Taylor
Callahan	Foley	Lawson	Robertson	Thornton
Cassin	Gleason	Loonan	Robinson	Tobin
Clark, F.E.	Harrigan	Marrin	Scanlon	Trainor
Coughlin	Hennessy	McDermott	Schulz, F.F.	Wells
Cutler	Herrman	McKeon	Schulz, H	Whittet
Davidson	Keenan			

Those who voted in the negative, were

Babcock	Fish	Keck	Ryder, E.L.	Stone
Baker	Friday	Kelsey	Schoepflin	Terry, C.W.
Butts	Gardiner	Kerr	Seibert	Terry, J.F.
Cain	Gerst	Matthews	Sheffield	Thompson
Carroll	Glenn	Messiter	Smith, M.F.	Tilton
Chambers	Gould	Myers	Smith, S.W.	Wilcox
Chapman	Higbie	Parkhurst	Snyder	Wray
Conklin	Howe	Robbins	Stewart	Wyckoff
Dean				

Mr. Taylor moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 931) entitled "An act to amend chapter 256 of the Laws of 1888, entitled 'An act to prevent the use of

certain parks and streets in the city of New York for railroad'' (Rec. No. 326), having been announced for a third reading,

On motion of Mr. Fish, said bill was laid aside.

The Senate bill (No. 410) entitled "An act to amend chapter 371 of the Laws of 1893, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village and to repeal certain acts and parts of acts,' and to create a police fund, and define the jurisdiction, powers and duties of the police justice and policemen of said village" (Rec. No. 346), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keenan	Parkhurst	Stadtfeld
Babcock	Dowling	Keleher	Plant	Stein
Baker	Eldredge	Kelsey	Porter	Stevens
Berry	Fairbrother	Kerr	Prescott	Stewart
Braun	Fish	Kern	Rider, J.J.	Stone
Brennan	Friday	Kerrigan	Robbins	Sulzer
Brownell	Fuller	Kneeland	Robertson	Taylor
Bush	Gardiner	La Fetra	Robson	Terry, J.F.
Cahill	Gerst	Lasch	Roche	Thompson
Cain	Glenn	Lee	Scanlon	Thornton
Callahan	Gould	Loonan	Schillinger	Tilton
Carroll	Gray	Marrin	Schoepflin	Trainor
Chambers	Herrman	Matthews	Schulz, F.F.	Tuttle
Chapman	Higbie	McDermott	Seibert	Vacheron
Clark, F.E.	Hobbie	McKeon	Sheffield	Van Amber
Conklin	Hoefler	Melody	Sherwood	Wells
Corrigan	Horton	Messiter	Smith, M.F.	Whittet
Cutler	Houghton	Myers	Smith, S.W.	Wieman
Davidson	Howe	Nixon	Snyder	Wilcox
Dean	Keck	O'Grady	Southworth	Wray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 471) entitled "An act to facilitate State

commerce by increasing the lockage capacity of the Erie and Oswego canals, and by improving the Erie, Oswego, Black river, Seneca, Cayuga and Champlain, and the Seneca lake level of the Chemung canal, and making appropriations therefor" (Rec. No. 238), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 2 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Messiter	Stadtfeld
Babcock	Dowling	Hoysradt	Myers	Stein
Baker	Eldredge	Keck	Nixon	Stevens
Berry	Fairbrother	Keenan	O'Donnell	Stone
Braun	Finnigan	Keleher	O'Grady	Sulzer
Brennan	Fish	Kelsey	Parkhurst	Taylor
Burtis	Foley	Kerr	Porter	Terry, C.W.
Bush	Friday	Kern	Prescott	Thompson
Cahill	Fuller	Kerrigan	Robbins	Thornton
Cain	Gardiner	Kneeland	Robertson	Trainor
Callahan	Gerst	Lasch	Robson	Tuttle
Carroll	Gleason	Lawson	Ryder, E.L.	Van Amber
Chambers	Glenn	Lee	Scanlon	Wells
Clark, J. H.	Gray	Loonan	Schoepflin	Whittet
Conklin	Herrman	Marrin	Schulz, H	Wilcox
Corrigan	Higbie	Matthews	Seibert	Wray
Cutler	Hobbie	McDermott	Sherwood	Wyckoff
Davidson	Horton	McKeon	Snyder	Speaker
Dean	Hotaling	Melody	Southworth	

For the negative,

Smith, M.F. Tilton

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 797) entitled "An act to amend section 258 of the Code of Civil Procedure, relative to the stenographers of the Supreme Court" (Rec. No. 255), having been announced for a third reading,

On motion of Mr. O'Grady, said bill was laid aside.

The Senate bill (No. 653) entitled "An act to amend section 1380 of the Code of Civil Procedure" (Rec. No. 239), having been announced for a third reading,

On motion of Mr. Speaker, said bill was laid aside.

The Senate bill (No. 4) entitled "An act to amend section 3347 of the Code of Civil Procedure" (Rec. 151), having been announced for a third reading,

On motion of Mr. Speaker, said bill was laid aside.

The Senate (No. 529), entitled "An act to amend sections 1042 and 1176 of the Code of Civil Procedure, in relation to drawing and challenging jurors" (Rec. No. 188), having been announced for a third reading,

On motion of Mr. Speaker, said bill was laid aside.

The Senate bill (No. 665) entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police force in the city of Yonkers'" (Rec. No. 231), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	96	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Hoysradt	Parkhurst	Stein
Baker	Dowling	Keenan	Porter	Stevens
Berry	Eldredge	Kelsey	Prescott	Stewart
Braun	Finnigan	Kern	Rider, J.J.	Stone
Brownell	Fish	Kneeland	Robbins	Sulzer
Burtis	Foley	La Fetra	Robertson	Taylor
Butts	Friday	Lasch	Robson	Terry, C.W.
Cain	Fuller	Lawson	Roche	Terry, J.F.
Callahan	Gardiner	Lounsbury	Scanlon	Thornton
Carroll	Gerst	Loonan	Schillinger	Tobin
Cassin	Gleason	Marrin	Schoepflin	Trainor
Chambers	Glenn	Matthews	Schulz, F.F.	Tuttle
Clark, J. H.	Harrigan	McDermott	Seibert	Van Amber
Conklin	Hennessy	McNamee	Sheffield	Vehslage
Corrigan	Herrman	Melody	Sherwood	Wells
Coughlin	Higbie	Messiter	Smith, M.F.	Wieman

Cutler	Hobbie	Mittnacht	Smith, S.W.	Wilcox
Davidson	Horton	O'Donnell	Southworth	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 802) entitled "An act to amend the agricultural law and the Penal Code, relative to violations of the same" (Rec. No. 283), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keleher	Porter	Stein
Babcock	Eldredge	Kelsey	Reilly	Stevens
Baker	Fairbrother	Kern	Rider, J.J.	Stewart
Berry	Fish	Kerrigan	Robbins	Stone
Braun	Friday	Kneeland	Robertson	Taylor
Brownell	Gardiner	Lasch	Robinson	Terry, C.W.
Burtis	Gerst	Lee	Robson	Terry, J.F.
Butts	Gleason	Loonan	Roche	Thornton
Cain	Glenn	Marrin	Scanlon	Tobin
Carroll	Gould	Matthews	Schoepflin	Tuttle
Chambers	Herrman	McKeon	Schulz, H	Vacheron
Clark, J. H.	Hobbie	Messiter	Seibert	Van Amber
Conklin	Hoefer	Myers	Sherwood	Wells
Coughlin	Hotaling	Nixon	Smith, M.F.	Whittet
Davidson	Houghton	O'Grady	Smith, S.W.	Wieman
Denniston	Hoysradt	Parkhurst	Snyder	Wray
Dinkelspiel	Keck	Plant	Southworth	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 5) entitled "An act to amend section 1166 of the Code of Civil Procedure" (Rec. No. 152), having been announced for a third reading,

On motion of Mr. Speaker, said bill was laid aside.

The Senate bill (No. 788), entitled "An act to amend title 5 of chapter 18 of the Code of Civil Procedure, in relation to and to

provide for disposition of decedent's real property for the payment of debts, funeral expenses and certain liens thereon" (Rec. No. 240), having been announced for a third reading,

On motion of Mr. Ainsworth, said bill was laid aside.

The Senate bill (No. 633) entitled "An act in relation to the coroner's physician in the eastern district of the county of Kings" (Rec. No. 215), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	96	}
{	NOES	1	}

Those who voted in the affirmative, were

Brennan	Gould	Lawson	Rider, J.J.	Stewart
Burtis	Gray	Lee	Robbins	Stone
Chambers	Hennessey	Loonan	Robinson	Sulzer
Clark, J. H.	Herrman	Marrin	Robson	Taylor
Corrigan	Higbie	Matthews	Roche	Terry, C.W.
Cutler	Hobbie	McDermott	Ryder, E.L.	Terry, J.F.
Davidson	Hoeffler	McKeon	Schillinger	Thompson
Dean	Horton	McNamee	Schoepflin	Thornton
Denniston	Hotaling	Messiter	Schulz, F.F.	Tilton
Dinkelspiel	Howe	Mittnacht	Schulz, H	Tobin
Dowling	Hoysradt	Myers	Seibert	Trainor
Eldredge	Keck	Nixon	Sheffield	Vacheron
Fairbrother	Keenan	O'Donnell	Sherwood	Van Amber
Finnigan	Kelsey	O'Grady	Smith, M.F.	Wells
Fish	Kerr	Parkhurst	Smith, S.W.	Whittet
Foley	Kern	Plant	Snyder	Wieman
Fuller	Kerrigan	Porter	Southworth	Wilcox
Gardiner	Kneeland	Prescott	Stein	Wray
Gerst	Lasch	Reilly	Stevens	Wyckoff
Glenn				

In the negative,

Baker

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Fish in the chair.

The Senate bill (No. 153) entitled "An act to provide for the payment of rent for certain buildings in Long Island City, used

for educational purposes by said city " (Rec. No. 44), having been announced for a third reading,

On motion of Mr. Vacheron, said bill was laid aside.

The Senate bill (No. 825) entitled "An act making an appropriation for repairing and extending the high retaining wall of the Erie canal on the west side of South Saint Paul street, in the city of Rochester, New York, between the north line of Court street and the aqueduct crossing the Genesee river " (Rec. No 325), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Prescott	Stevens
Babcock	Finnigan	Kerr	Reilly	Stewart
Baker	Fish	Kern	Rider, J.J.	Stone
Berry	Foley	Kerrigan	Robbins	Sulzer
Braun	Friday	Kneeland	Robertson	Taylor
Brownell	Fuller	Lasch	Robson	Terry, O.W.
Butts	Gardiner	Lee	Roche	Terry, J.F.
Cahill	Gerst	Lounsbury	Ryder, E.L.	Thompson
Cain	Gleason	Loonan	Scanlon	Tilton
Carroll	Gould	Marrin	Schoepflin	Tobin
Cassin	Gray	Matthews	Schulz, F.F.	Trainor
Chambers	Herrman	McDermott	Seibert	Tuttle
Clark, J. H.	Higbie	McNamee	Sheffield	Vacheron
Conklin	Hobbie	Messiter	Sherwood	Van Amber
Coughlin	Hoefer	Mittnacht	Smith, M.F.	Vehslage
Cutler	Horton	Myers	Smith, S.W.	Wells
Davidson	Hotaling	Nixon	Snyder	Whittet
Dean	Houghton	O'Grady	Southworth	Wilcox
Denniston	Howe	Parkhurst	Stadtfield	Wray
Dowling	Keck	Porter	Stein	Wyckoff
Eldredge	Keleher			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 499) entitled "An act to amend section 699 of the Penal Code, in relation to criminal charges against children " (Rec. No. 179), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 102 {
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	O'Grady	Southworth
Babcock	Dowling	Keenan	Parkhurst	Stadtfeld
Baker	Fairbrother	Keleher	Porter	Stein
Berry	Finnigan	Kerr	Prescott	Stevens
Braun	Fish	Kern	Reilly	Stewart
Brownell	Foley	Kerrigan	Rider, J.J.	Stone
Burtis	Friday	Kneeland	Robbins	Sulzer
Butts	Fuller	Lasch	Robertson	Taylor
Cahill	Gardiner	Lawson	Robinson	Terry, C.W.
Cain	Gerst	Lee	Robson	Terry, J. F.
Carroll	Glenn	Lounsbury	Roche	Thompson
Cassin	Gould	Loonan	Scanlon	Thornton
Chambers	Gray	Marrin	Schillinger	Tilton
Clark, J. H.	Harrigan	Matthews	Schoepflin	Tuttle
Conklin	Herrman	McKeon	Schulz, F.F.	Vacheron
Corrigan	Higbie	Melody	Schulz, H	Vehslage
Coughlin	Hoefer	Messiter	Seibert	Wells
Cutler	Horton	Mitnacht	Sheffield	Whittet
Dean	Houghton	Myers	Sherwood	Wieman
Denniston	Howe	Nixon	Snyder	Wyckoff
Dinkelspiel	Hoysradt			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 938) entitled "An act to amend chapter 576 of the Laws of 1893, entitled 'An act relative to the water works department of the city of Troy and to provide for an increased supply of water in the said city'" (Rec. No. 338), having been announced for a third reading,

On motion of Mr. Keenan, said bill was laid aside.

The Senate bill (No. 904) entitled "An act to authorize the village of Hamilton and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burying ground in said village" (Rec. No. 311), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keenan	Porter	Stein
Babcock	Dowling	Keleher	Prescott	Stevens
Baker	Eldredge	Kelsey	Rider, J.J.	Stewart
Berry	Fairbrother	Kerr	Robbins	Stone
Brennan	Fish	Kern	Robertson	Sulzer
Brownell	Foley	Kerrigan	Robinson	Terry, C.W.
Burtis	Friday	La Petra	Robson	Terry, J.F.
Cahill	Fuller	Lasch	Ryder, E.L.	Thompson
Cain	Gardiner	Lawson	Scanlon	Thornton
Callahan	Gerst	Lee	Schillinger	Tilton
Carroll	Gleason	Loonan	Schoepffin	Tobin
Cassin	Glenn	Marrin	Schulz, F.F.	Trainor
Chapman	Gray	Matthews	Schulz, H	Vacheron
Clark, J. H.	Herrman	McKeon	Seibert	Van Amber
Conklin	Higbie	Messiter	Sherwood	Wells
Corrigan	Hobbie	Mittnacht	Smith, M.F.	Whittet
Coughlin	Hoefler	Myers	Smith, S.W.	Wieman
Cutler	Hotaling	O'Donnell	Snyder	Wilcox
Davidson	Howe	O'Grady	Southworth	Wyckoff
Dean	Hoystradt	Plant	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 851) entitled "An act relating to the Avenue A in the city of New York" (Rec. No. 286), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Porter	Stein
Babcock	Fish	Kerr	Prescott	Stevens
Baker	Foley	Kern	Reilly	Stewart

Braun	Friday	Kneeland	Rider, J.J.	Stone
Brownell	Fuller	Lasch	Robbins	Taylor
Butts	Gardiner	Lawson	Robertson	Terry, C.W
Cahill	Gleason	Lee	Robson	Terry, J.F.
Cain	Glenn	Lounsbury	Roche	Thompson
Callahan	Gould	Marrin	Scanlon	Thornton
Cassin	Gray	Matthews	Schillinger	Tilton
Chambers	Hennessey	McDermott	Schoepflin	Tobin
Clark, J. H.	Higbie	McNamee	Schulz, H	Tuttle
Conklin	Hobbie	Melody	Seibert	Vacheron
Corrigan	Hoeffer	Messiter	Sheffield	Vehslage
Coughlin	Horton	Mittnacht	Sherwood	Wells
Davidson	Houghton	Myers	Smith, S.W.	Whittet
Dean	Howe	O'Donnell	Snyder	Wieman
Dinkelspiel	Keck	O'Grady	Southworth	Wilcox
Dowling	Keleher	Parkhurst	Stadtfeld	Wray
Eldredge				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1706) entitled "An act to make the office of the clerk of the superior court of Buffalo a salaried office, and regulating the management of said office" (Int. No. 701), was read the second time.

On motion of Mr. Seibert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1490) entitled "An act to appoint water commissioners and to empower the taxpayers and voters of the city of Mount Vernon, Westchester county, to raise by vote and the board of water commissioners of said city upon such vote to borrow upon the credit of said city, and issue bonds for a sum not exceeding fifteen per cent of the assessed valuation of the property of the city as appears upon the assessment-roll of said city for the year 1893, for the purpose of purchasing the necessary lands, water property rights, easements and franchises therefor in said county and any adjoining county and for the construction, building and furnishing a system of water-works to supply said city with pure and wholesome water" (Int. No. 1289), having been announced for a second reading,

On request of Mr. Berry, said bill was laid aside.

The bill (No. 514) entitled "An act to lay out and establish a grand boulevard and concourse together with fifteen roads run-

ning transversely underneath said boulevard, in the city of New York" (Int. No. 507), was read the second time.

On motion of Mr. Butts, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 818) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claim of W. W. Brinkerhoff against the State and make an award therefor" (Int. No. 752), was read the second time.

On motion of Mr. Robertson, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 727) entitled "An act to amend section 22, article 2, chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws'" (Rec. No. 291), was read the second time.

On motion of Mr. Speaker, said bill was placed on the order of third reading.

The Senate bill (No. 127) entitled "An act in relation to immatured debts owing by insolvent debtors" (Rec. No. 337), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading.

The Senate bill (No. 874) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport'" (Rec. No. 319), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading.

The bill (No. 1507) entitled "An act to amend chapter 279 of the Laws of 1833, entitled 'An act requiring mortgages of personal property to be filed in the town clerk's and other offices,' relating to validity of mortgages against creditors" (Int. No. 1306), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 6 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hobbie	McDermott	Schulz, F.F.
Babcock	Dean	Hoefler	Melody	Schulz, H
Baker	Denniston	Horton	Messiter	Seibert

Berry	Dinkelspiel	Hotaling	Mittnacht	Sherwood
Brennan	Douglas	Howe	Myers	Smith, S.W.
Brownell	Dowling	Keck	Nixon	Southworth
Burtis	Eldredge	Keenan	O'Donnell	Stadtfeld
Butts	Fairbrother	Keleher	O'Grady	Stein
Cain	Fish	Kelsey	Parkhurst	Stewart
Callahan	Foley	Kerr	Plant	Stone
Carroll	Friday	Kern	Porter	Sulzer
Cassin	Fuller	Kneeland	Prescott	Tobin
Chambers	Gardiner	La Petra	Reilly	Tuttle
Chapman	Gerst	Lasch	Rider, J.J.	Vacheron
Clark, F.E.	Gleason	Lawson	Robinson	Van Amber
Clark, J. H.	Glenn	Lee	Roche	Whittet
Conklin	Gould	Marrin	Scanlon	Wray
Corrigan	Herrman	Matthews	Schoepflin	Wyckoff
Cutler	Higbie			

Those who voted in the negative, were

Robbins	Terry, C.W.	Thornton	Tilton	Wells
Smith, M.F.				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1511) entitled "An act to authorize the Buffalo library to take and hold property for special purposes" (Int. No. 1310), having been announced for a third reading,

On motion of Mr. Seibert, said bill was laid aside.

The bill (No. 1482) entitled "An act in relation to the village of Fredonia" (Int. No. 1148), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keleher	Porter	Stein
Babcock	Eldredge	Kelsey	Prescott	Stevens
Baker	Fairbrother	Kerr	Reilly	Stewart
Berry	Fish	Kern	Rider, J.J.	Stone
Brennan	Foley	Kneeland	Robbins	Sulzer
Brownell	Friday	Lasch	Robertson	Terry, C.W.
Burtis	Fuller	Lawson	Robinson	Terry, J.F.
Butts	Gardiner	Lee	Robson	Thompson
Cain	Gerst	Lounsbury	Roche	Thornton

Carroll	Gleason	Marrin	Scanlon	Tilton
Cassin	Glenn	Matthews	Schillinger	Tobin
Chambers	Gould	McDermott	Schoepflin	Trainor
Chapman	Hennessy	Melody	Schulz, F.F.	Tuttle
Clark, F.E.	Herrman	Messiter	Schulz, H	Vacheron
Clark, J. H.	Higbie	Mittnacht	Seibert	Van Amber
Conklin	Hobbie	Myers	Sherwood	Vehslage
Corrigan	Hoefler	Nixon	Smith, M.F.	Wells
Cutler	Horton	O'Donnell	Smith, S.W.	Whittet
Davidson	Hotaling	O'Grady	Snyder	Wieman
Dean	Howe	Parkhurst	Southworth	Wilcox
Denniston	Keck	Plant	Stadtfeld	Wyckoff
Dinkelspiel	Keenan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1487) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Int. No. 1286), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keenan	Plant	Stevens
Babcock	Douglas	Keleher	Porter	Stone
Baker	Eldredge	Kelsey	Prescott	Taylor
Berry	Fairbrother	Kerr	Reilly	Terry, C.W
Brennan	Finnigan	Kern	Rider, J.J.	Terry, J.F.
Brownell	Fish	Kerrigan	Robertson	Thompson
Burtis	Foley	La Fetra	Robinson	Thornton
Butts	Friday	Lasch	Robson	Tilton
Cain	Fuller	Lawson	Roche	Tobin
Callahan	Gerst	Lee	Scanlon	Trainor
Carroll	Gleason	Lounsbury	Schillinger	Tuttle
Cassin	Glenn	Marrin	Schoepflin	Vacheron
Chambers	Gould	McDermott	Schulz, F.F.	Van Amber
Chapman	Hennessy	Melody	Schulz, H	Vehslage
Clark, F.E.	Herrman	Messiter	Seibert	Wells
Clark, J. H.	Higbie	Mittnacht	Sherwood	Whittet
Conklin	Hoefler	Myers	Smith, M.F.	Wieman
Corrigan	Horton	Nixon	Smith, S.W.	Wilcox
Cutler	Hotaling	O'Donnell	Snyder	Wray

Davidson	Howe	O'Grady	Southworth	Wyckoff
Dean	Keck	Parkhurst	Stein	Speaker
Denniston				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Ainsworth moved that this session be extended to 7.30 o'clock, and that there be no session this evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 819) entitled "An act to amend chapter 391 of the Laws of 1893, entitled 'An act for the protection of purchasers of coal in cities of over 800,000 inhabitants and under 1,200,000 inhabitants, and providing for the enforcement thereof'" (Int. No. 753), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	97	}
{	NOES	2	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Keleher	Porter	Stein
Babcock	Dinkelspiel	Kelsey	Prescott	Stevens
Baker	Douglas	Kerr	Reilly	Stewart
Berry	Eldredge	Kern	Rider, J.J.	Sulzer
Brennan	Fairbrother	Knee	Robbins	Taylor
Brownell	Foley	Lasch	Robertson	Terry, C.W.
Burtis	Fuller	Lawson	Robinson	Thompson
Butts	Gardiner	Lee	Robson	Thornton
Cahill	Gleason	Lounsbury	Roche	Tilton
Carroll	Glenn	Loonan	Scanlon	Tobin
Cassin	Gould	McDermott	Schoepflin	Trainor
Chambers	Harrigan	McKeon	Schulz, F.F.	Tuttle
Chapman	Herrman	Melody	Schulz, H	Vacheron
Clark, F.E.	Higbie	Mittnacht	Sheffield	Van Amber
Clark, J. H.	Hoeffler	Myers	Sherwood	Vehslage
Conklin	Horton	Nixon	Smith, S.W.	Whittet
Corrigan	Hotaling	O'Donnell	Snyder	Wieman
Cutler	Howe	O'Grady	Southworth	Wilcox
Davidson	Keck	Plant	Stadtfeld	Wyckoff
Dean	Keenan			

Those who voted in the negative, were

Fish	Gerst
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1633) entitled "An act to amend section 65 of title 2, chapter 3, part 4 of the Revised Statutes, relating to State prisons with respect to assistant clerk to take affidavits" (Int. No. 1394), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 103 {
} NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Plant	Stein
Babcock	Douglas	Keleher	Porter	Stewart
Baker	Eldredge	Kelsey	Prescott	Stone
Berry	Fairbrother	Kerr	Reilly	Sulzer
Brennan	Fish	Kern	Rider, J.J.	Taylor
Brownell	Foley	Kneeland	Robbins	Terry, C.W.
Burtis	Friday	Lasch	Robertson	Thompson
Butts	Fuller	Lawson	Robinson	Thornton
Cahill	Gardiner	Lee	Roche	Tilton
Callahan	Gerst	Lounsbury	Ryder, E.L.	Tobin
Carroll	Gleason	Loonan	Scanlon	Trainor
Cassin	Glenn	Marrin	Schoepflin	Tuttle
Chambers	Gould	McDermott	Schulz, F.F.	Vacheron
Chapman	Hennessy	McKeon	Schulz, H	Van Amber
Clark, F.E.	Herrman	Melody	Sherwood	Vehslage
Clark, J. H.	Higbie	Messiter	Smith, M.F.	Wells
Conklin	Hoefer	Mittnacht	Smith, S.W.	Whittet
Cutler	Horton	Myers	Snyder	Wieman
Davidson	Hotaling	Nixon	Southworth	Wilcox
Dean	Howe	O'Donnell	Stadtfeld	Wyekoff
Denniston	Hoysradt	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1414) entitled "An act to provide for the annexation to the city of Brooklyn of the town of Flatbush, in Kings county" (Int. No. 535), having been announced for a third reading,

Mr. Finnigan moved to substitute Senate bill No. 1082, Rec. No. 464, same subject and title.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said Senate bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keleher	Porter	Stein
Babcock	Douglas	Kelsey	Prescott	Stevens
Baker	Dowling	Kerr	Reilly	Stone
Berry	Eldredge	Kern	Rider, J.J.	Sulzer
Brennan	Fairbrother	Kneeland	Robbins	Taylor
Brownell	Finnigan	Lasch	Robertson	Terry, C W.
Burtis	Fish	Lawson	Robinson	Thompson
Bush	Foley	Lee	Robson	Thornton
Butts	Friday	Lounsbury	Roche	Tilton
Cain	Fuller	Loonan	Scanlon	Tobin
Carroll	Gardiner	Marrin	Schoepflin	Trainor
Cassin	Gerst	McDermott	Schulz, F.F.	Tuttle
Chambers	Glenn	McKeon	Schulz, H	Vacheron
Chapman	Gould	Melody	Seibert	Van Amber
Clark, F.E.	Harrigan	Messiter	Sheffield	Vehslage
Clark, J. H.	Hennessy	Mittnacht	Sherwood	Wells
Conklin	Herrman	Myers	Smith, M.F.	Whittet
Corrigan	Higbie	Nixon	Smith, S.W.	Wieman
Cutler	Hoeffler	O'Donnell	Snyder	Wilcox
Davidson	Hotaling	O'Grady	Southworth	Wray
Dean	Howe	Plant	Stadtfeld	Wyckoff
Denniston	Keck			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1535) entitled "An act to amend the procedure, relating to review on appeal from minor courts" (Int. No. 974), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keck	Plant	Stein
Baker	Douglas	Keleher	Porter	Stevens
Berry	Dowling	Kelsey	Reilly	Stewart
Brennan	Eldredge	Kerr	Rider, J.J.	Stone
Brownell	Fairbrother	Kern	Robbins	Sulzer
Burtis	Fish	Kneeland	Robertson	Taylor
Bush	Foley	Lasch	Robinson	Terry, C.W.
Butts	Friday	Lawson	Robson	Thompson
Cahill	Fuller	Lee	Roche	Thornton
Callahan	Gerst	Lounsbury	Scanlon	Tilton
Carroll	Gleason	Loonan	Schoepflin	Tobin
Cassin	Glenn	Matthews	Schulz, F.F.	Trainor
Chambers	Gould	McDermott	Schulz, H	Tuttle
Chapman	Harrigan	McKeon	Seibert	Vacheron
Clark, F.E.	Herrman	Melody	Sheffield	Van Amber
Clark, J. H.	Higbie	Messiter	Sherwood	Vehslage
Conklin	Hobbie	Mitnacht	Smith, M.F.	Wells
Corrigan	Hoefler	Myers	Smith, S.W.	Whittet
Cutler	Horton	Nixon	Snyder	Wieman
Davidson	Hotaling	O'Donnell	Southworth	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1545) entitled "An act to amend section 537 of chapter 492 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the powers and duties of the health department of the city of New York" (Int. No. 1225), having been announced for a third reading,

On motion of Mr. Davidson, said bill was laid aside.

The bill No. 1533) entitled "An act to amend the railroad law relating to construction of road in street where other road is built" (Int. No. 1084), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Donnell	Stadtfeld
Babcock	Dinkelspiel	Keck	O'Grady	Stein
Baker	Douglas	Keleher	Porter	Stevens
Berry	Dowling	Kelsey	Reilly	Stone
Brennan	Eldredge	Kerr	Rider, J.J.	Sulzer
Brownell	Fairbrother	Kern	Robbins	Taylor
Burtis	Fish	Kneeland	Robertson	Terry, C.W.
Bush	Foley	Lasch	Robinson	Thompson
Burts	Friday	Lawson	Robson	Thornton
Cahill	Fuller	Lee	Roche	Tilton
Carroll	Gardiner	Lounsbury	Scanlon	Trainor
Cassin	Gleason	Loonan	Schoepflin	Tuttle
Chambers	Glenn	Marrin	Schulz, F.F.	Vacheron
Chapman	Gould	Matthews	Schulz, H	Van Amber
Clark, F.E.	Harrigan	McDermott	Seibert	Vehslage
Clark, J. H.	Hennessy	Melody	Sherwood	Wells
Conklin	Herrman	Messiter	Smith, M.F.	Whittet
Corrigan	Higbie	Mittnacht	Smith, S.W.	Wieman
Cutler	Hoefer	Myers	Snyder	Wilcox
Davidson	Hotaling	Nixon	Southworth	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1539) entitled "An act to authorize the rebuilding of a bridge over Newtown creek at Maspeth avenue, by the counties of Kings and Queens, and providing the means therefor" (Int. No. 691), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Porter	Stein
Babcock	Dinkelspiel	Keleher	Prescott	Stevens
Baker	Douglas	Kelsey	Reilly	Stewart
Berry	Dowling	Kerr	Rider, J.J.	Stone
Brennan	Eldredge	Kern	Robbins	Sulzer

Brownell	Fairbrother	Kneeland	Robertson	Taylor
Burtis	Fish	Lasch	Robinson	Terry, C.W.
Bush	Foley	Lawson	Robson	Thompson
Butts	Friday	Lee	Roche	Thornton
Cahill	Fuller	Lounsbury	Ryder, E.L.	Tilton
Callahan	Gardiner	Loonan	Scanlon	Tobin
Carroll	Gerst	Marrin	Schoepflin	Trainor
Cassin	Gleason	Matthews	Schulz, F.F.	Tuttle
Chambers	Glenn	McDermott	Schulz, H	Vacheron
Chapman	Gould	Melody	Seibert	Van Amber
Clark, F.E.	Harrigan	Messiter	Sherwood	Vehslage
Clark, J. H.	Hennessy	Mittnacht	Smith, M.F.	Wells
Conklin	Herrman	Myers	Smith, S.W.	Whittet
Corrigan	Higbie	Nixon	Snyder	Wieman
Cutler	Hoefer	O'Donnell	Southworth	Wilcox
Davidson	Hotaling	O'Grady	Stadtfeld	Wyckoff
Dean	Howe	Plant		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1203) entitled "An act laying out an additional public park in the Twelfth ward of the city of New York, and authorizing the taking of land for the same" (Int. No. 991), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	O'Donnell	Stadtfeld
Babcock	Denniston	Howe	O'Grady	Stein
Baker	Dinkelspiel	Keck	Plant	Stevens
Berry	Douglas	Keleher	Porter	Stewart
Brennan	Dowling	Kelsey	Reilly	Stone
Brownell	Eldredge	Kerr	Rider, J.J.	Sulzer
Burtis	Fairbrother	Kern	Robbins	Taylor
Bush	Fish	Kneeland	Robertson	Terry, C.W.
Butts	Foley	Lasch	Robinson	Terry, J.F.
Cahill	Friday	Lawson	Robson	Thompson
Callahan	Fuller	Lee	Roche	Thornton
Carroll	Gerst	Lounsbury	Scanlon	Tilton
Cassin	Gleason	Loonan	Schoepflin	Trainor
Chambers	Glenn	Matthews	Schulz, F.F.	Tuttle

Chapman	Gould	McDermott	Schulz, H	Vacheron
Clark, F.E.	Harrigan	McKeon	Seibert	Vehslage
Clark, J. H.	Hennessy	Melody	Sherwood	Wells
Conklin	Herrman	Messiter	Smith, M.F.	Whittet
Corrigan	Higbie	Mittnacht	Smith, S.W.	Wieman
Cutler	Hoefler	Myers	Snyder	Wilcox
Davidson	Horton	Nixon	Southworth	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1698) entitled "An act to amend sections 3, 8, 11, 12 and 13 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city'" (Int. No. 1104), having been announced for a third reading,

On motion of Mr. Ainsworth, said bill was laid aside.

The bill (No. 1529) entitled "An act to amend section 1 of chapter 275 of the Laws of 1892, entitled 'An act to create a department of buildings in the city of New York and to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in so far as the same relates to the fire and building departments of said city, and by adding a new section thereto, creating a bureau to be known as the bureau of fire alarm telegraph and electrical appliances, in relation to the salary to be paid the superintendent of buildings" (Int. No. 1012), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }
 { NOES 32 }

Those who voted in the affirmative, were

Berry	Dinkelspiel	Keenan	Mittnacht	Southworth
Brennan	Dowling	Kelcher	Myers	Stadtfeld
Bush	Eldredge	Kerr	O'Donnell	Stein

Butts	Finnigan	Kerrigan	Plant	Stevens
Cahill	Foley	La Fetra	Porter	Sulzer
Cain	Gardiner	Lasch	Reilly	Taylor
Callahan	Gleason	Loonan	Robinson	Trainor
Carroll	Harrigan	Marrin	Roche	Vehslage
Clark, J. H.	Hennessy	McDermott	Schillinger	Wells
Corrigan	Herrman	McKeon	Schulz, F.F.	Whittet
Coughlin	Hoefler	Melody	Seibert	Wieman
Davidson	Hoysradt	Messiter	Smith, S.W.	

Those who voted in the negative, were

Ainsworth	Fish	Kelsey	Nixon	Stewart
Babcock	Friday	Kern	Rider, J.J.	Thompson
Baker	Gerst	Kneeland	Robertson	Tilton
Brownell	Glenn	Lawson	Robson	Vacheron
Conklin	Gould	Lee	Schoepflin	Wray
Cutler	Higbie	Lounsbury	Sheffield	Speaker
Fairbrother	Howe			

Mr. Herrman moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer called from the table the bill (No. 1698) entitled "An act to amend sections 3, 8, 11, 12 and 13 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers, and heads of slips 'in said city.'" (Int. No. 1104.)

Said bill having been announced for a third reading,

Mr. Sulzer moved to amend the same as follows :

Page 7, line 13, after the word "dollars" insert the words "all employees and officials, under and by virtue of this act, shall be citizens of the United States, and residents of the city and county of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Parkhurst	Stein
Babcock	Dowling	Kelsey	Porter	Stevens
Baker	Eldredge	Kern	Prescott	Stone
Braun	Fairbrother	Kerrigan	Rider, J.J.	Sulzer
Brownell	Fish	Kneeland	Robbins	Taylor
Burtis	Friday	La Fetra	Robertson	Terry, J.F.
Bush	Fuller	Lasch	Robson	Thompson
Butts	Gardiner	Lawson	Scanlon	Thornbon
Callahan	Glenn	Lounsbury	Schillinger	Tilton
Carroll	Gould	Marrin	Schoepffin	Trainor
Cassin	Herrman	Matthews	Schulz, F.F.	Tuttle
Chambers	Higbie	McKeon	Seibert	Van Amber
Clark, F.E.	Hobbie	McNamee	Sheffield	Wells
Clark, J.H.	Hoefer	Melody	Sherwood	Whittet
Conklin	Horton	Mittnacht	Smith, M.F.	Wieman
Coughlin	Houghton	Nixon	Smith, S.W.	Wilcox
Cutler	Howe	O'Grady	Stadtfeld	Wray
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 951) entitled "An act making an appropriation for building a vertical wall on the berme side of the Erie canal in the city of Utica, between Gilbert street in the city of Utica and the Turner street bridge in said city of Utica" (Rec. No. 376), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Fairbrother	Keleher	Porter	Stadtfeld
Baker	Fish	Kelsey	Prescott	Stein
Braun	Friday	Kern	Rider, J.J.	Stewart
Brownell	Fuller	Kneeland	Robbins	Stone
Burtis	Gardiner	La Fetra	Robertson	Sulzer

Butts	Gerst	Lawson	Robson	Terry, C.W.
Cain	Glenn	Lee	Ryder, E.L.	Terry, J.F.
Callahan	Gould	Lounsbury	Scanlon	Thompson
Chambers	Gray	Marrin	Schoepflin	Tilton
Clark, F.E.	Hennessy	Matthews	Schulz, F.F.	Trainor
Clark, J. H.	Herrman	McNamee	Schulz, H	Vacheron
Conklin	Higbie	Melody	Seibert	Van Amber
Cutler	Hoefer	Messiter	Sheffield	Wells
Dean	Horton	Myers	Sherwood	Whittet
Denniston	Hotaling	Nixon	Smith, M.F.	Wilcox
Douglas	Howe	O'Grady	Smith, S.W.	Wray
Eldredge	Keck	Parkhurst	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1481) entitled "An act to incorporate the Niagara, Lockport and Ontario Power Company" (Int. No. 1073), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 20 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	Robbins	Taylor
Babcock	Fairbrother	Kelsey	Robertson	Terry, C.W.
Baker	Fish	Kerr	Robinson	Thompson
Berry	Foley	Kern	Robson	Thornton
Brownell	Friday	Kneeland	Ryder, E.L.	Tilton
Burtis	Fuller	Lawson	Schoepflin	Trainor
Butts	Gardiner	Lee	Seibert	Vacheron
Chambers	Gerst	Mittnacht	Sherwood	Van Amber
Clark, F.E.	Gleason	Nixon	Smith, M.F.	Wells
Clark, J. H.	Glenn	Parkhurst	Smith, S.W.	Whittet
Conklin	Gould	Porter	Snyder	Wray
Cutler	Higbie	Prescott	Stadtfeld	Wyckoff
Davidson	Hobbie	Reilly	Stevens	Speaker
Dinkelspiel	Hotaling	Rider, J.J.	Stewart	

Those who voted in the negative, were

Brennan	Carroll	Herrman	Marrin	Plant
Cahill	Corrigan	Keleher	McDermott	Schillinger
Cain	Dowling	Kerrigan	Melody	Stein
Callahan	Hennessy	Lasch	O'Donnell	Sulzer

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 441) entitled "An act to enable the city of Niagara Falls to acquire such lands as may be necessary to extend Pierce avenue in said city, from Whirlpool avenue easterly to Sugar street" (Int. No. 418), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	Parkhurst	Stein
Babcock	Dowling	Houghton	Porter	Stevens
Baker	Eldredge	Keck	Prescott	Stone
Braun	Fairbrother	Keleher	Rider, J.J.	Sulzer
Brennan	Fish	Kelsey	Robbins	Terry, C.W.
Brownell	Friday	Kern	Robertson	Thompson
Burtis	Fuller	Kneeland	Robson	Thornton
Butts	Gardiner	Lawson	Scanlon	Tobin
Cain	Gerst	Lee	Schoepflin	Trainor
Callahan	Glenn	Lounsbury	Schulz, H	Vacheron
Carroll	Gould	Matthews	Seibert	Van Amber
Chambers	Gray	Melody	Sherwood	Wells
Clark, F.E.	Herrman	Messiter	Smith, M.F.	Whittet
Clark, J. H.	Higbie	Myers	Smith, S.W.	Wilcox
Conklin	Hobbie	Nixon	Snyder	Wray
Cutler	Hoefer	O'Grady	Stadtfeld	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1509) entitled "An act to authorize the town of Newtown in Queens county, to convey certain real estate, being a part of its common lands" (Int. No. 1308), having been announced for a third reading,

On motion of Mr. Fairbrother, said bill was laid aside.

The bill (No. 1448) entitled "An act to amend section 53 of article 2 of chapter 19 of the general highway laws of 1892" (Int. No. 1270), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 76 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	Porter	Stein
Babcock	Fairbrother	Keck	Prescott	Stevens
Baker	Fish	Kelsey	Rider, J.J.	Stone
Braun	Friday	Kerr	Robbins	Sulzer
Brownell	Fuller	Kern	Robertson	Terry, C.W.
Burtis	Gardiner	Kneeland	Robson	Terry, J.F.
Butts	Gerst	Lawson	Scanlon	Thompson
Carroll	Glenn	Lee	Schoepflin	Tilton
Chambers	Gould	Lounsbury	Schulz, H	Tuttle
Clark, F.E.	Herrman	Matthews	Seibert	Vacheron
Clark, J. H.	Higbie	Melody	Sherwood	Van Amber
Conklin	Hobbie	Messiter	Smith, M.F.	Wells
Cutler	Hoefler	Nixon	Smith, S.W.	Whittet
Dean	Horton	O'Grady	Snyder	Wilcox
Denniston	Houghton	Parkhurst	Stadtfeld	Wray
Douglas				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1726) entitled "An act to provide for the better protection of the public health in relation to the manufacture and sale of cigarettes" (Int. No. 999), having been announced for a second reading,

On request of Mr. Stadtfeld, said bill was laid aside.

The bill (No. 1717) entitled "An act to authorize local authorities to contract for the purification of water and sewerage" (Int. No. 1449), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1715) entitled "An act to amend section 911 of the Code of Criminal Procedure, relative to disorderly persons" (Int. No. 1389), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1716) entitled "An act to amend section 374 of the Code of Civil Procedure, relating to the abandonment and discontinuance of condemnation proceedings" (Int. No. 1323), having been announced for a second reading,

On request of Mr. Lawson, said bill was laid aside.

The bill (No. 1718) entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town corporation insurance companies'" (Int. No. 1204), was read the second time.

On motion of Mr. Chapman, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1044) entitled "An act to revise, amend and consolidate the several acts relating to the village of Oneida and to repeal certain acts and parts of acts" (Rec. No. 397), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The bill (No. 1720) entitled "An act in relation to excise moneys collected in the village of Williamsville" (Int. No. 1440), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1719) entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872" (Int. No. 1299), was read the second time.

On motion of Mr. McNamee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1714) entitled "An act to amend chapter 401 of the Laws of 1892, entitled 'An act to revise and consolidate the laws regulating the sale of intoxicating liquors'" (Int. No. 844), was read the second time.

On motion of Mr. Parkhurst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1721) entitled "An act to amend chapter 361 of the Laws of 1881, entitled 'An act to amend chapter 542 of the Laws of 1880, entitled 'An act to provide for raising taxes for the use of the State upon certain corporations, joint stock companies and associations'" (Int. No. 1177), having been announced for a second reading,

On request of Mr. Denniston, said bill was laid aside.

The bill (No. 1723) entitled "An act to amend section 532 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter

431 of the Laws of 1887 and chapter 444 of the Laws of 1893" (Int. No. 448), having been announced for a second reading,

On request of Mr. Wray, said bill was laid aside.

The bill (No. 1014) entitled "An act to amend chapter 29 of the Laws of 1886, entitled 'An act to amend chapter 410 of the Laws of 1884, entitled An act to amend chapter 354 of the Laws of 1883, entitled An act to regulate and improve the civil service of the State of New York'" (Int. No. 930), was read the second time.

On motion of Mr. S. W. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1673) entitled "An act authorizing the construction of a stone wall along the edge of the towing path of the Erie canal, and on the west line of property known as No. 10 Austin street, in the city of Buffalo, and making an appropriation therefor" (Int. No. 1437), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	76	}
}	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Horton	Parkhurst	Stadtfeld
Babcock	Dowling	Hotaling	Porter	Stevens
Baker	Eldredge	Howe	Prescott	Stewart
Braun	Fairbrother	Keck	Rider, J.J.	Sulzer
Brennan	Fish	Kelsey	Robbins	Terry, C.W
Brownell	Friday	Kern	Robertson	Thompson
Burtis	Fuller	Kneeland	Robson	Thornton
Cahill	Gardiner	Lawson	Scanlon	Trainor
Carroll	Gerst	Lee	Schoepflin	Tuttle
Chambers	Glenn	Lounsbury	Schulz, F.F.	Vacheron
Clark, F.E.	Gould	Matthews	Seibert	Van Amber
Conklin	Gray	Melody	Sherwood	Wells
Coughlin	Higbie	Messiter	Smith, M.F.	Whittet
Cutler	Hobbie	Nixon	Smith, S.W.	Wilcox
Dean	Hoefler	O'Grady	Snyder	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1524) entitled "An act to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof" (Int. No. 1325), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Porter	Stewart
Babcock	Fairbrother	Kelsey	Prescott	Sulzer
Baker	Fish	Kerr	Rider, J.J.	Terry, G.W.
Braun	Friday	Kern	Robbins	Terry, J.F.
Brownell	Fuller	Kneeland	Robertson	Thompson
Burtis	Gardiner	Lawson	Robson	Thornton
Bush	Gerst	Lee	Scanlon	Tilton
Callahan	Glenn	Lounsbury	Schoepflin	Trainor
Carroll	Gould	Matthews	Schulz, F.F.	Tuttle
Chambers	Gray	McNamee	Seibert	Vacheron
Clark, F.E.	Higbie	Melody	Sherwood	Van Amber
Conklin	Hobbie	Messiter	Smith, M.F.	Wells
Cutler	Hoefer	Myers	Smith, S.W.	Whittet
Davidson	Horton	Nixon	Snyder	Wilcox
Dean	Howe	O'Grady	Stadtfield	Wray
Denniston	Keck	Parkhurst	Stein	Wyckoff
Dowling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1618) entitled "An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled An act to consolidate and amend the several acts relating to the village of Lancaster, and to enlarge the powers of the corporation of said village'" (Int. No. 1368), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	O'Grady	Stadtfeld
Babcock	Denniston	Howe	Parkhurst	Stevens
Baker	Dowling	Keck	Porter	Stone
Braun	Eldredge	Keleher	Rider, J.J.	Taylor
Brennan	Fairbrother	Kelsey	Robbins	Terry, C.W.
Brownell	Fish	Kerr	Robertson	Terry, J.F.
Burtis	Friday	Kern	Robson	Thompson
Butts	Fuller	Kneeland	Ryder, E.L.	Thornton
Cain	Gardiner	Lawson	Scanlon	Trainor
Carroll	Gerst	Lee	Schoepflin	Tuttle
Chambers	Glenn	Lounsbury	Schulz, F.F.	Vacheron
Chapman	Gould	Matthews	Seibert	Van Amber
Clark, F.E.	Herrman	Melody	Sherwood	Wells
Clark, J. H.	Higbie	Messiter	Smith, M.F.	Wieman
Conklin	Hobbie	Myers	Smith, S.W.	Wray
Coughlin	Hoefer	Nixon	Snyder	Wyckoff
Cutler				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 435) entitled "An act to provide for the protection of the Cayuga and Seneca canal, by repairing the berme bank and breakwater at the foot of Seneca lake, in the counties of Seneca and Ontario, between the outlet and the canal bridge at Geneva, and making an appropriation therefor" (Rec. No. 377), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hobbie	Porter	Stevens
Babcock	Denniston	Horton	Prescott	Stewart
Baker	Dinkelspiel	Howe	Rider, J.J.	Sulzer
Braun	Dowling	Keck	Robbins	Taylor
Brennan	Eldredge	Kelsey	Robertson	Terry, J.F.
Brownell	Fairbrother	Kern	Robson	Thompson
Burtis	Fish	Kneeland	Ryder, E.L.	Thornton
Bush	Friday	Lawson	Scanlon	Tilton

Butts	Fuller	Lee	Schoepflin	Trainor
Carroll	Gardiner	Lounsbury	Schulz, H	Vacheron
Chambers	Gerst	Matthews	Seibert	Van Amber
Chapman	Glenn	Messiter	Sheffield	Wells
Clark, F.E.	Gould	Myers	Sherwood	Whittet
Clark, J. H.	Gray	Nixon	Smith, S.W.	Wilcox
Conklin	Herrman	O'Grady	Snyder	Wray
Cutler	Higbie	Parkhurst	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1532) entitled "An act to amend chapter 248 of the Laws of 1875, entitled 'An act in relation to the coroners' office and post-mortem examiners'" (Int. No. 1199), having been announced for a third reading,

On motion of Mr. Gerst, said bill was laid aside.

The bill (No. 1590) entitled "An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' as amended by chapter 70 of the Laws of 1881" (Int. No. 1340), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Rider, J.J.	Stewart
Babcock	Dowling	Kelsey	Robbins	Stone
Baker	Eldredge	Kern	Robertson	Sulzer
Berry	Fairbrother	Kneeland	Ryder, E.L.	Taylor
Brennan	Fish	Lawson	Scanlon	Terry, J.F.
Brownell	Friday	Lee	Schoepflin	Thompson
Burtis	Fuller	Lounsbury	Schulz, F.F.	Thornton
Butts	Gardiner	Matthews	Schulz, H	Tilton
Carroll	Gerst	McKeon	Seibert	Trainor
Chambers	Glenn	Melody	Sherwood	Tuttle
Chapman	Gould	Messiter	Smith, M.F.	Vacheron
Clark, F.E.	Herrman	Myers	Smith, S.W.	Van Amber
Clark, J. H.	Higbie	Nixon	Snyder	Whittet
Conklin	Hobbie	O'Grady	Stadtfeld	Wieman
Cutler	Hoefler	Parkhurst	Stein	Wilcox
Dean	Hotaling	Porter	Stevens	Wyckoff
Denniston	Howe	Prescott		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1588) entitled "An act reappropriating an unexpended balance for the State Industrial School at Rochester" (Int. No. 1372), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Rider, J.J.	Stevens
Babcock	Eldredge	Kelsey	Robbins	Stewart
Baker	Fairbrother	Kern	Robertson	Stone
Braun	Fish	Kneeland	Robson	Taylor
Brownell	Friday	Lawson	Roche	Terry, C.W.
Burtis	Fuller	Lee	Scanlon	Thompson
Bush	Gardiner	Lounsbury	Schoepflin	Thornton
Butts	Gerst	Marrin	Schulz, F.F.	Tilton
Carroll	Glenn	Matthews	Seibert	Trainor
Chambers	Gould	Melody	Sheffield	Tuttle
Chapman	Gray	Messiter	Sherwood	Van Amber
Clark, F.E.	Higbie	Myers	Smith, M.F.	Wells
Clark, J. H.	Hobbie	Nixon	Smith, S.W.	Whittet
Conklin	Hoefer	Parkhurst	Snyder	Wieman
Cutler	Horton	Porter	Stadtfeld	Wray
Dean	Hotaling	Prescott	Stein	Wyckoff
Denniston	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 795) entitled "An act to regulate the employment of prison labor in the manufacture of brooms and brushes made of broom-corn" (Int. No. 746), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Rider, J.J.	Stein
Babcock	Fairbrother	Kelsey	Robbins	Stevens
Baker	Fish	Kern	Robertson	Stewart

Braun	Friday	Kneeland	Robson	Stone
Brownell	Fuller	Lasch	Roche	Taylor
Burtis	Gardiner	Lawson	Scanlon	Terry, C.W.
Butts	Gerst	Lee	Schoepflin	Terry, J.F.
Carroll	Glenn	Lounsbury	Schulz, F.F.	Thompson
Chambers	Gould	Matthews	Schulz, H	Thornton
Clark, F.E.	Herrman	Melody	Seibert	Tuttle
Clark, J. H.	Higbie	Messiter	Sheffield	Vacheron
Conklin	Hobbie	Myers	Sherwood	Van Amber
Coughlin	Hoefler	Nixon	Smith, M.F.	Wells
Cutler	Hotaling	Parkhurst	Smith, S.W.	Whittet
Dean	Howe	Porter	Snyder	Wray
Denniston	Keck	Prescott	Stadtfeld	Wyckoff
Dowling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1585) entitled "An act to amend the Code of Civil Procedure, relating to regulations when action brought by wife" (Int. No. 767), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Porter	Stein
Babcock	Dowling	Keleher	Prescott	Stevens
Baker	Eldredge	Kelsey	Rider, J.J.	Stewart
Brennan	Fairbrother	Kerr	Robbins	Stone
Brownell	Finnigan	Kern	Robertson	Sulzer
Burtis	Fish	Kneeland	Robson	Terry, C. W.
Bush	Foley	La Fetra	Ryder, E.L.	Terry, J. F.
Butts	Friday	Lawson	Scanlon	Thompson
Callahan	Fuller	Lee	Schoepflin	Thornton
Carroll	Gardiner	Lounsbury	Schulz, F.F.	Tilton
Cassin	Gerst	Matthews	Schulz, H	Trainor
Chambers	Glenn	McNamee	Seibert	Tuttle
Clark, F. E.	Gould	Melody	Sheffield	Vacheron
Clark, J. H.	Herrman	Messiter	Smith, M.F.	Van Amber
Conklin	Higbie	Myers	Smith, S.W.	Whittet
Coughlin	Hobbie	Nixon	Snyder	Wilcox
Cutler	Hoefler	O'Grady	Stadtfeld	Wyckoff
Dean	Howe	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1523) entitled "An act making an appropriation for the payment of expenses of a convention to revise and amend the Constitution of the State" (Int. No. 1324), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Parkhurst	Stadtfield
Babcock	Eldredge	Keleher	Porter	Stein
Baker	Fairbrother	Kelsey	Prescott	Stevens
Berry	Fish	Kerr	Rider, J.J.	Stewart
Brownell	Friday	Kern	Robbins	Stone
Burtis	Fuller	Kneeland	Robertson	Taylor
Bush	Gardiner	Lasch	Robson	Terry, C.W.
Butts	Gerst	Lawson	Roche	Terry, J.F.
Callahan	Glenn	Lee	Scanlon	Thompson
Carroll	Gould	Lounsbury	Schoepflin	Thornton
Chambers	Gray	Marrin	Schulz, F.F.	Tilton
Clark, F.E.	Herrman	Matthews	Schulz, H.	Tuttle
Clark, J. H.	Higbie	McKeon	Seibert	Vacheron
Conklin	Hobbie	Melody	Sheffield	Van Amber
Coughlin	Hoefler	Messiter	Sherwood	Wells
Cutler	Horton	Mitnacht	Smith, M.F.	Whittet
Dean	Howe	Nixon	Smith, S.W.	Wilcox
Denniston	Hoysradt	O'Grady	Snyder	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1474) entitled "An act requiring all savings banks and savings institutions organized and doing business under the laws of the State of New York to notify annually each depositor thereof by mail of all balances standing to the credit of such depositor" (Int. No. 1216), having been announced for a third reading,

On motion of Mr. Ainsworth, said bill was laid aside.

The bill (No. 1592) entitled "An act to incorporate the 'Child-

ren's Aid Society of Rochester'" (Int. No. 1387), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kerr	Prescott	Stevens
Babcock	Fairbrother	Kern	Rider, J.J.	Stewart
Baker	Fish	Kneeland	Robbins	Stone
Braun	Friday	La Fetra	Robertson	Sulzer
Brownell	Fuller	Lawson	Robson	Taylor
Burtis	Gardiner	Lee	Roche	Terry, C.W.
Butts	Glenn	Lounsbury	Scanlon	Thompson
Callahan	Gould	Marrin	Schulz, F.F.	Thornton
Carroll	Gray	Matthews	Schulz, H	Tilton
Chambers	Higbie	McKeon	Seibert	Trainor
Clark, F.E.	Hobbie	McNamee	Sheffield	Tuttle
Clark, J. H.	Hoefer	Messiter	Sherwood	Vacheron
Conklin	Horton	Myers	Smith, M.F.	Van Amber
Cutler	Hotaling	Nixon	Smith, S.W.	Wells
Davidson	Howe	O'Grady	Snyder	Whittet
Dean	Keck	Parkhurst	Stadtfeld	Wilcox
Dowling	Kelsey	Porter	Stein	Wray

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1304) entitled "An act authorizing the construction of wheelways along highways" (Int. No. 1145), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keleher	Prescott	Stein
Babcock	Dowling	Kelsey	Rider, J.J.	Stevens
Baker	Eldredge	Kern	Robbins	Stewart
Braun	Fairbrother	Kneeland	Robertson	Stone

Brownell	Fish	Lasch	Robson	Sulzer
Burtis	Friday	Lawson	Roche	Terry, C W.
Bush	Fuller	Lee	Scanlon	Terry, J.F.
Butts	Gardiner	Lounsbury	Schoepflin	Thompson
Carroll	Gerst	Loonan	Schulz, F.F.	Thornton
Cassin	Glenn	Matthews	Schulz, H	Tilton
Chambers	Gould	Melody	Seibert	Trainor
Chapman	Gray	Messiter	Sheffield	Tuttle
Clark, F.E.	Herrman	Myers	Sherwood	Vacheron
Clark, J.H.	Higbie	Nixon	Smith, M.F.	Van Amber
Conklin	Hobbie	O'Grady	Smith, S.W.	Wells
Coughlin	Hoefer	Parkhurst	Snyder	Whittet
Cutler	Howe	Porter	Stadtfeld	Wray
Dean	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1556) entitled "An act for the relief of certain churches in the Twenty-third ward of the city of New York" (Int. No. 1358), having been announced for a third reading,

On motion of Mr. Butts, said bill was amended as follows:

Section 1, line 4, strike out the word "forever."

Same section, line 6, strike out the word "might" and insert the word "May."

Section 1, line 7, strike out all after the word "churches," and all of lines 8, and after the word "churches" on line 7, insert the words "until January 1895."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keenan	Porter	Stein
Babcock	Dowling	Kelsey	Prescott	Stevens
Baker	Eldredge	Kerr	Rider, J.J.	Stewart
Braun	Fairbrother	Kern	Robertson	Stone
Brownell	Finnigan	Kneeland	Robinson	Sulzer
Burtis	Fish	La Fetra	Robson	Taylor
Bush	Foley	Lawson	Ryder, E.L.	Terry, C.W.
Butts	Friday	Lee	Scanlon	Terry, J.F.
Cain	Gardiner	Lounsbury	Schoepflin	Thompson
Callahan	Gerst	Marrin	Schulz, F.F.	Thornton

Carroll	Glenn	Matthews	Schulz, H	Trainor
Chambers	Gould	McNamee	Seibert	Tuttle
Chapman	Gray	Melody	Sheffield	Vacheron
Clark, F.E.	Herrman	Messiter	Sherwood	Van Amber
Clark, J. H.	Higbie	Mittnacht	Smith, M.F.	Wells
Conklin	Hobbie	Nixon	Smith, S.W.	Whittet
Coughlin	Hoefer	O'Grady	Snyder	Wilcox
Cutler	Howe	Parkhurst	Stadtfeld	Wray
Dean	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1493) entitled "An act in relation to New York avenue in the city of Brooklyn" (Int. No. 1292), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Parkhurst	Stein
Babcock	Denniston	Keck	Porter	Stevens
Baker	Dinkelspiel	Keleher	Prescott	Stewart
Braun	Dowling	Kelsey	Rider, J.J.	Stone
Brownell	Eldredge	Kerr	Robbins	Sulzer
Burtis	Fairbrother	Kern	Robertson	Taylor
Bush	Fish	Kneeland	Robson	Terry, J.F.
Butts	Friday	Lasch	Roche	Thompson
Callahan	Fuller	Lawson	Scanlon	Thornton
Carroll	Gardiner	Lee	Schoepffin	Trainor
Chambers	Gerst	Lounsbury	Schulz, F.F.	Tuttle
Chapman	Glenn	Matthews	Seibert	Vacheron
Clark, F.E.	Gould	McKeon	Sheffield	Van Amber
Clark, J. H.	Gray	Melody	Sherwood	Wells
Conklin	Herrman	Messiter	Smith, M.F.	Whittet
Coughlin	Higbie	Myers	Smith, S.W.	Wilcox
Cutler	Hoefer	Nixon	Snyder	Wray
Davidson	Hotaling	O'Grady	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1540) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (Int. No. 589), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Plant	Stadtfeld
Babcock	Denniston	Houghton	Porter	Stein
Baker	Dinkelspiel	Howe	Prescott	Stevens
Brennan	Dowling	Keck	Rider, J.J.	Stewart
Brownell	Eldredge	Keleher	Robbins	Stone
Burtis	Fairbrother	Kelsey	Robertson	Sulzer
Bush	Finnigan	Kern	Robson	Taylor
Butts	Fish	Kneeland	Roche	Terry, C.W.
Cain	Friday	Lasch	Ryder, E.L.	Thompson
Callahan	Fuller	Lawson	Scanlon	Thornton
Carroll	Gardiner	Lee	Schoepflin	Trainor
Chambers	Gerst	Lounsbury	Schulz, F.F.	Tuttle
Chapman	Glenn	Marrin	Seibert	Vacheron
Clark, F.E.	Gould	Matthews	Sheffield	Van Amber
Clark, J. H.	Gray	Melody	Sherwood	Wells
Conklin	Herrman	Messiter	Smith, M.F.	Whittet
Coughlin	Higbie	Mittnacht	Smith, S.W.	Wieman
Cutler	Hobbie	Nixon	Snyder	Wray
Davidson	Hoefler	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1519) entitled "An act to authorize the making of compensation for damages to property occasioned by the change of grade of streets adjacent thereto, in the Eighth ward in the city of Brooklyn" (Int No. 1320), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Prescott	Stadtfeld
Babcock	Dowling	Keleher	Rider, J.J.	Stein
Baker	Eldredge	Kelsey	Robbins	Stevens

Brennan	Fairbrother	Kerr	Robertson	Stewart
Brownell	Finnigan	Kern	Robson	Sulzer
Burtis	Fish	Kneeland	Roche	Taylor
Bush	Foley	La Fetra	Scanlon	Terry, C.W.
Butts	Friday	Lawson	Schillinger	Thompson
Callahan	Fuller	Lee	Schoepflin	Thornton
Carroll	Gardiner	Lounsbury	Schulz, F.F.	Tilton
Chambers	Glenn	Marrin	Schulz, H	Trainor
Chapman	Gould	Matthews	Seibert	Tuttle
Clark, F.E.	Gray	Melody	Sheffield	Van Amber
Clark, J. H.	Higbie	Messiter	Sherwood	Wells
Conklin	Hoefer	Myers	Smith, M.F.	Whittet
Cutler	Horton	Nixon	Smith, S.W.	Wilcox
Dean	Hotaling	Parkhurst	Snyder	Wyckoff
Denniston	Howe	Porter		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1430) entitled "An act to ratify and confirm the constitution of the Seneca nation of Indians, adopted on the 13th day of January, 1893" (Int. No. 1250), having been announced for a third reading,

On motion of Mr. C. W. Terry, said bill was laid aside.

The bill (No. 1525) entitled "An act empowering the supervisor and commissioner of highways of the town of Plattsburgh to purchase a stone crusher and power to provide for the working of highway assessments in connection therewith" (Int. No. 1326), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Horton	Parkhurst	Stadtfeld
Babcock	Dean	Howe	Plant	Stein
Baker	Denniston	Keck	Porter	Stevens
Berry	Dowling	Keleher	Prescott	Stewart
Brennan	Eldredge	Kelsey	Rider, J.J.	Stone
Brownell	Fairbrother	Kern	Robbins	Sulzer
Burtis	Finnigan	Kneeland	Robertson	Taylor
Bush	Fish	La Fetra	Robson	Terry, J.F.
Butts	Foley	Lawson	Ryder, E.L.	Thompson

Cain	Friday	Lee	Seanlon	Thornton
Carroll	Fuller	Lounsbury	Schoepflin	Tilton
Chambers	Gardiner	Marrin	Schulz, F.F.	Trainor
Chapman	Glenn	Matthews	Schulz, H	Vacheron
Clark, F.E.	Gould	McNamee	Seibert	Wells
Clark, J. H.	Herrman	Melody	Sheffield	Whittet
Conklin	Higbie	Messiter	Smith, M.F.	Wieman
Coughlin	Hobbie	Mittnacht	Smith, S.W.	Wray
Cutler	Hoefler	Nixon	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 7.30 o'clock having arrived, the House adjourned.

FRIDAY, APRIL 20, 1894.

The House met pursuant to adjournment.

Prayer by Rev. J. H. Messenger.

On motion of Mr. Hobbie, the journal of yesterday was approved without being read.

Mr. Kneeland moved that the following entitled bills be made a special order for 12 o'clock, noon, to-day.

"An act to abolish imprisonment in civil actions and to provide for the punishment of certain frauds." (No. 1665, Int. No. 1429.)

"An act to incorporate the Equitable Securities Company." (No. 1695, Int. No. 1459.)

"An act to provide for the discharge of an insolvent from his debts." (No. 1667, Int. No. 1431.)

"An act to amend section 1384 of the Code of Civil Procedure, relating to executions." (No. 1708, Int. No. 1466.)

"An act to amend the Code of Civil Procedure, relating to attachments." (No. 1666, Int. No. 1430.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Dinkelspiel introduced a bill entitled "An act to amend chapter 341 of the Laws of 1863" (Int. No. 1491), which was read the first time and referred to the committee on railroads.

By unanimous consent,

Mr. Wilcox introduced a bill entitled "An act to authorize the

common council of the city of Auburn to borrow money and issue its bonds for the maintenance of the fire department of said city " (Int. No. 1490), which was read the first time.

On motion of Mr. Wilcox, and by unanimous consent, said bill was read the second time, and placed on the order of third reading and referred to the committee on affairs of cities.

The Senate sent for concurrence the following entitled bill :

"An act for the relief of the volunteer life-saving corps of inland waters of this State, and making an appropriation therefor " (No. 954, Rec. No. 457), which was read the first time.

Mr. F. F. Schulz asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	91	}
{ NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefler	Myers	Snyder
Babcock	Denniston	Hotaling	Nixon	Stadtfeld
Baker	Douglas	Houghton	O'Grady	Stein
Braun	Dowling	Howe	Parkhurst	Stevens
Brownell	Eldredge	Keck	Prescott	Stone
Burtis	Fairbrother	Keleher	Rider, J.J.	Sulzer
Bush	Fish	Kelsey	Robbins	Terry, C.W.
Butts	Foley	Kern	Robertson	Terry, J.F.
Callahan	Friday	Kerrigan	Robson	Thompson
Carroll	Fuller	Kneeland	Ryder, E.L.	Tilton
Cassin	Gardiner	Lasch	Scanlon	Trainor
Chambers	Glenn	Lawson	Schoepflin	Tuttle
Clark, F.E.	Gould	Lee	Schulz, F.F.	Vacheron
Clark, J. H.	Gray	Lounsbury	Schulz, H	Van Amber
Conklin	Hennessy	Matthews	Seibert	Wells
Corrigan	Herrman	McKeon	Sherwood	Wieman
Coughlin	Higbie	Melody	Smith, M.F.	Wray
Cutler	Hobbie	Messiter	Smith, S.W.	Wyckoff
Davidson				

Ordered, That the Clerk return said bill to the Senate,

with a message that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read in the words following:

IN SENATE, *April 19, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly the Governor returned the Senate bill (No. 509) entitled "An act to repeal section 136 of article 8 of the game law." (Int. No. 139.)

The vote on the final passage of said bill having been reconsidered,

On motion of Mr. Robertson, and by unanimous consent, said bill was amended as follows:

Strike out the following:

"§ 136. Close season in Hudson river.—Oysters shall not be taken from the Hudson river, north of the county of New York, between the first day of May and the first day of September."

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	85	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	Parkhurst	Stadtfeld
Babcock	Eldredge	Keck	Porter	Stein
Baker	Fairbrother	Keleher	Prescott	Stevens
Braun	Fish	Kelsey	Rider, J.J.	Stewart
Brownell	Friday	Kern	Robbins	Stone
Burtis	Fuller	Kneeland	Robertson	Sulzer
Butts	Gardiner	La Fetra	Robson	Taylor
Callahan	Gerst	Lawson	Ryder, E.L.	Terry, J.F.
Cassin	Glenn	Lee	Scanlon	Thompson
Chambers	Gould	Loonan	Schoepflin	Tilton
Clark, F.E.	Gray	Matthews	Schulz, F.F.	Tuttle
Clark, J. H.	Herrman	McNamee	Schulz, H	Vacheron
Conklin	Higbie	Melody	Seibert	Van Amber
Cutler	Hobbie	Messiter	Sherwood	Wells

Dean	Horton	Myers	Smith, M.F.	Wieman
Denniston	Hotaling	Nixon	Smith, S.W.	Wray
Dinkelspiel	Houghton	O'Grady	Snyder	Wyckoff

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Parkhurst	Stadtfeld
Babcock	Dowling	Keck	Porter	Stein
Baker	Eldredge	Keleher	Prescott	Stevens
Braun	Fairbrother	Kelsey	Rider, J.J.	Stewart
Brownell	Fish	Kern	Robbins	Stone
Burtis	Friday	Kerrigan	Robertson	Sulzer
Bush	Fuller	Kneeland	Robson	Taylor
Butts	Gardiner	Lasch	Ryder, E.L.	Terry, C W.
Callahan	Gerst	Lawson	Scanlon	Thompson
Carroll	Glenn	Lounsbury	Schoepflin	Thornton
Chambers	Gould	Marrin	Schulz, F.F.	Tilton
Clark, F.E.	Hennessy	Matthews	Schulz, H	Trainor
Clark, J. H.	Herrman	McNamee	Seibert	Tuttle
Conklin	Higbie	Melody	Sheffield	Van Amber
Coughlin	Hobbie	Messiter	Sherwood	Whittet
Davidson	Hoefer	Myers	Smith, M.F.	Wieman
Dean	Horton	Nixon	Smith, S.W.	Wray
Denniston	Houghton	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, *April 5, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 421) entitled "An act to amend section 2728 of the Code of Civil Procedure, relative to judicial settlement of accounts of executors and administrators." (Int. No. 100.)

The vote on the final passage of said bill having been reconsidered,

On motion of Mr. Mullin, and by unanimous consent, said bill was amended as follows:

Add the following new sections:

"§ 2. Chapter 252 of the Laws of 1893, entitled 'An act to amend section 2729 of the Code of Civil Procedure, relative to judicial settlement of accounts,' is hereby repealed.

"§ 3. This act shall take effect immediately."

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoysradt	Parkhurst	Stein
Babcock	Denniston	Keenan	Porter	Stevens
Baker	Dinkelspiel	Keleher	Prescott	Stewart
Berry	Eldredge	Kerr	Reilly	Stone
Braun	Finnigan	Kern	Rider, J.J.	Sulzer
Brownell	Fish	Kerrigan	Robinson	Taylor
Burtis	Foley	Kneeland	Robson	Terry, C.W.
Bush	Friday	Lasch	Roche	Terry, J.F.
Cahill	Fuller	Lawson	Scanlon	Tobin
Cain	Gerst	Lee	Schillinger	Trainor
Callahan	Gould	Lounsbury	Schoepflin	Tuttle
Carroll	Gray	Loonan	Schulz, H	Vacheron
Cassin	Harrigan	Marrin	Seibert	Van Amber
Clark, F.E.	Herrman	McDermott	Sheffield	Vehslage
Clark, J. H.	Higbie	McKeon	Sherwood	Whitfet
Conklin	Hobbie	Melody	Smith, M.F.	Wieman
Corrigan	Hoefler	Messiter	Smith, S.W.	Wilcox
Coughlin	Hotaling	Myers	Snyder	Wray
Cutler	Houghton	O'Donnell	Southworth	Wyckoff
Davidson	Howe	O'Grady	Stadtfeld	

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Myers	Southworth
Babcock	Dinkelspiel	Howe	Nixon	Stein
Baker	Dowling	Keck	O'Grady	Stevens
Berry	Eldredge	Keenan	Parkhurst	Stewart
Braun	Fairbrother	Keleher	Prescott	Stone
Brownell	Finnigan	Kelsey	Reilly	Taylor
Burtis	Fish	Kerr	Rider, J.J.	Terry, C.W.
Bush	Foley	Kern	Robbins	Terry, J.F.
Cahill	Friday	Kerrigan	Robertson	Thompson
Cain	Fuller	La Fetra	Robinson	Tilton
Callahan	Gardiner	Lasch	Robson	Tobin
Carroll	Gerst	Lawson	Roche	Trainor
Cassin	Glenn	Lounsbury	Scanlon	Tuttle
Chambers	Gould	Loonan	Schoepflin	Van Amber
Clark, F.E.	Gray	Marrin	Schulz, F.F.	Wells
Clark, J. H.	Harrigan	McDermott	Seibert	Whittet
Corrigan	Hennessey	McKeon	Sheffield	Wieman
Coughlin	Herrman	McNamee	Sherwood	Wilcox
Cutler	Higbie	Messiter	Smith, S.W.	Wray
Davidson	Hoefler	Mitnacht	Snyder	Wyckoff
Dean	Horton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following:

IN SENATE, *April 5, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 293) entitled "An act to make the office of the county clerk of Niagara county a salaried office, and regulating the management of said office." (Int. No. 42.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Pound, and by unanimous consent, the same was amended, as follows:

Section 3. Strike out all after line 8 and insert the words "The board of supervisors of said county may, by resolution, at the annual session of said board, fix the amount of the fee which said clerk shall exact and collect for searching and certifying the title to and incumbrances on real property, not exceeding the amount now fixed by law. Said resolution shall be general in

character and said fee shall be uniform throughout the county and shall not be changed except at a regular annual session of said board."

Section 5, line 7, after the word "him" insert the words "or his assistants."

Same section, last line, after the word him" insert the words "or his assistants."

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Myers	Stadtfeld
Babcock	Denniston	Houghton	Nixon	Stein
Baker	Dinkelspiel	Keck	O'Grady	Stevens
Braun	Douglas	Keenan	Plant	Stone
Brennan	Eldredge	Keleher	Prescott	Sulzer
Brownell	Fairbrother	Kerr	Rider, J.J.	Terry, C.W.
Burtis	Finnigan	Kern	Robertson	Terry, J.F.
Bush	Fish	Kerrigan	Robinson	Thornton
Cain	Foley	Kneeland	Robson	Tilton
Callahan	Friday	La Fetra	Roche	Trainor
Carroll	Fuller	Lawson	Ryder, E.L.	Tuttle
Cassin	Gerst	Lounsbury	Schoepflin	Van Amber
Chambers	Gleason	Loonan	Schulz, F.F.	Wells
Chapman	Gray	Marrin	Seibert	Whittet
Clark, J. H.	Harrigan	Matthews	Sheffield	Wieman
Conklin	Herrman	McDermott	Sherwood	Wilcox
Corrigan	Higbie	McNamee	Smith, S.W.	Wray
Coughlin	Hoefer	Melody	Snyder	Wyckoff
Cutler	Horton	Messiter	Southworth	

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor, and three-fifths being present.

{ AYES 96 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Grady	Stein
Babcock	Dinkelspiel	Houghton	Porter	Stevens
Baker	Dowling	Howe	Prescott	Stewart
Berry	Fairbrother	Hoysradt	Rider, J.J.	Stone
Braun	Finnigan	Keenan	Robertson	Sulzer
Brownell	Fish	Keleher	Robinson	Taylor
Burtis	Friday	Kelsey	Robson	Terry, J.F.
Bush	Fuller	Kerr	Roche	Thompson
Butts	Gardiner	Kerrigan	Ryder, E.L.	Thornton
Cain	Gleason	La Fetra	Schillinger	Tilton
Carroll	Glenn	Lawson	Schoepfin	Trainor
Cassin	Gould	Lounsbury	Schulz, F.F.	Tuttle
Chambers	Gray	Loonan	Schulz, H	Vacheron
Chapman	Hennessy	Marrin	Sheffield	Wells
Clark, J. H.	Herrman	McDermott	Sherwood	Whittet
Conklin	Higbie	McNamee	Smith, S.W.	Wieman
Coughlin	Hobbie	Messiter	Snyder	Wilcox
Gutler	Hoefer	Myers	Southworth	Wray
Davidson	Horton	Nixon	Stadtfeld	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read, in the words following:

IN SENATE, *April 19, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly the Governor returned the Senate bill No. 402, entitled "An act relating to inspectors of elections, poll clerks and ballot clerks in all of the towns and cities of the State, except the city of Brooklyn." (Rec. No. 86.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. O'Connor, and by unanimous consent, said bill was amended as follows:

Strike out section 1 and insert the following:

"Section 1. Section 19 of the Town Law is amended so as to read as follows: "

Change "§ 2" to "§ 19," and in line 16 of said section, after the word "elected" insert the words "if the two inspectors elected belong to different political parties, the inspectors appointed shall be the two candidates for inspectors not elected and receiving the

highest and next to the highest number of votes respectively, and belonging to different political parties."

Before section 3 insert the following:

"§ 2. Section 12 of the Election Law is amended to read as follows: "

Make "§ 3" read "§ 12."

Before section 4, insert the following:

"§ 3. Section 11 of the Election Law is amended to read as follows:

Make "§ 4" read "§ 11," and in same section, on page 4, line 11, after the words "list or lists" insert the words "if more than one list for any political party is submitted to the mayor, the appointment shall be made from the list, if any submitted, by the organization of such party recognized as regular by the State convention of such party held next before such 10th day of August; or if the regularity of any of the organizations of a party submitting two or more such lists shall not have been passed on by such State convention of such party, then such appointment shall be made from the list submitted by the organization decided to be regular by the State committee appointed by or organized in pursuance of such State convention."

Make "§ 5" read "§ 4."

Page 5, line 19, strike out the word "elected" and insert the word "selected."

Page 6, lines 2 to 7, strike out the sentence beginning with the words "if either" and ending with the words "of votes," and insert the words "if more than one list for any political party is submitted to the board of police, the appointment shall be made from the list, if any, submitted by the organization of such party recognized as regular by the State convention of such party held next before such 15th day of August; or if the regularity of any of the organizations of a party submitting two or more such lists shall not have been passed on by such State convention of such party then such appointment shall be made from the list submitted by the organization decided to be regular by the State committee appointed by or organized in pursuance of such State convention."

Before section 6, insert the following:

"§ 5. Section 15 of the Election Law is amended to read as follows: "

Make "§ 6" read "§ 15."

Strike out section 7, and insert in place thereof the following:

"§ 7. This section shall not apply to the city of Brooklyn."

Make sections 8, 9 and 10 read sections 6, 7 and 8, respectively.

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kelsey	Parkhurst	Stadtfeld
Babcock	Foley	Kerr	Plant	Stein
Baker	Friday	Kern	Porter	Stevens
Berry	Fuller	Kerrigan	Prescott	Stewart
Braun	Gardiner	Kneeland	Reilly	Stone
Burtis	Gerst	La Petra	Robbins	Sulzer
Bush	Glenn	Lasch	Robertson	Terry, C.W.
Callahan	Gould	Lee	Robinson	Terry, J.F.
Carroll	Gray	Lounsbury	Robson	Thompson
Chambers	Hennessy	Loonan	Roche	Thornton
Clark, J. H.	Herrman	Marrin	Ryder, E.L.	Tilton
Conklin	Higbie	Matthews	Scanlon	Trainor
Corrigan	Hobbie	McKeon	Schoepflin	Tuttle
Coughlin	Hoefler	McNamee	Schulz, F.F.	Vacheron
Cutler	Horton	Melody	Seibert	Wells
Denniston	Hotaling	Messiter	Sheffield	Whittet
Dinkelspiel	Howe	Mittnacht	Sherwood	Wieman
Douglas	Hoysradt	Nixon	Smith, S.W.	Wilcox
Eldredge	Keck	O'Donnell	Snyder	Wray
Fairbrother	Keleher	O'Grady	Southworth	Wyckoff

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Mittnacht	Smith, S.W.
Babcock	Dinkelspiel	Howe	Myers	Snyder
Baker	Eldredge	Keck	O'Donnell	Southworth
Berry	Fairbrother	Keenan	O'Grady	Stevens
Braun	Finnigan	Keleher	Parkhurst	Stewart
Brownell	Fish	Kelsey	Plant	Stone
Burtis	Foley	Kern	Prescott	Sulzer

Bush	Friday	Kerrigan	Robbins	Terry, C.W.
Cahill	Gardiner	Kneeland	Robertson	Terry, J.F.
Cain	Gerst	La Fetra	Robinson	Thornton
Carroll	Glenn	Lawson	Robson	Trainor
Cassin	Gould	Lee	Roche	Tuttle
Chapman	Harrigan	Lounsbury	Ryder, E.L.	Vacheron
Clark, J. H.	Hennessy	Loonan	Seanlon	Van Amber
Conklin	Herrman	Matthews	Schillinger	Wells
Corrigan	Higbie	McDermott	Schulz, F.F.	Whittet
Coughlin	Hoefer	McNamee	Seibert	Wieman
Cutler	Horton	Melody	Sheffield	Wray
Dean	Hotaling	Messiter	Smith, M.F.	Wyckoff

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following :

IN SENATE, *April 5, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (not printed) entitled "An act for the relief of Temple Israel of Harlem, and authorizing to use that name." (Rec. No. 219.)

The vote on the final passage of said bill having been reconsidered,

On motion of Mr. Cantor, and by unanimous consent, said bill was amended as follows :

After the title insert the following :

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Howe	Parkhurst	Stein
Baker	Douglas	Keck	Porter	Stevens

Berry	Dowling	Keleher	Prescott	Stone
Braun	Eldredge	Kelsey	Reilly	Sulzer
Brennan	Fairbrother	Kerr	Rider, J.J.	Taylor
Brownell	Finnigan	Kern	Robbins	Terry, C.W.
Burtis	Fish	Kneeland	Robertson	Terry, J.F.
Bush	Foley	La Fetra	Robinson	Thompson
Butts	Friday	Lasch	Roche	Thornton
Cain	Fuller	Lawson	Ryder, E.L.	Tobin
Callahan	Gerst	Lee	Scanlon	Trainor
Carroll	Gleason	Lounsbury	Schoepflin	Tuttle
Cassin	Glenn	Loonan	Schulz, F.F.	Vacheron
Chambers	Gould	Marrin	Seibert	Van Amber
Chapman	Gray	McDermott	Sheffield	Vehslage
Clark, F.E.	Harrigan	Melody	Sherwood	Wells
Clark, J. H.	Herrman	Messiter	Smith, M. F.	Whittet
Conklin	Higbie	Mitnacht	Smith, S.W.	Wilcox
Corrigan	Hobbie	Myers	Snyder	Wray
Cutler	Hoefer	Nixon	Southworth	Wyckoff
Davidson				

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 70 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	Parkhurst	Stein
Baker	Douglas	Howe	Porter	Stone
Berry	Dowling	Keck	Prescott	Sulzer
Braun	Eldredge	Keleher	Reilly	Taylor
Brennan	Fairbrother	Kelsey	Rider, J.J.	Terry, C.W.
Brownell	Finnigan	Kerr	Robbins	Terry, J.F.
Burtis	Fish	Kern	Robertson	Thompson
Bush	Foley	Kneeland	Robinson	Thornton
Butts	Friday	Lasch	Roche	Tilton
Cain	Fuller	Lawson	Ryder, E.L.	Tobin
Callahan	Gardiner	Lee	Scanlon	Trainor
Carroll	Gerst	Lounsbury	Schoepflin	Tuttle
Cassin	Gleason	Loonan	Schulz, F.F.	Vacheron
Chambers	Glenn	Marrin	Seibert	Van Amber
Chapman	Gould	McDermott	Sheffield	Vehslage
Clark, F.E.	Gray	Melody	Sherwood	Wells
Clark, J. H.	Harrigan	Messiter	Smith, M.F.	Whittet
Conklin	Herrman	Mitnacht	Smith, S.W.	Wilcox

Cutler	Higbie	Myers	Snyder	Wray
Davidson	Hobbie	Nixon	Southworth	Wyckoff
Dean	Hoefer	O'Grady	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read, in the words following:

IN SENATE, *April 19, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 312) entitled "An act to amend chapter 689 of the Laws of 1890, entitled 'An act in relation to banking corporations'" (Rec. No. 51).

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Stapleton, and by unanimous consent, the same was amended as follows:

Amend the title by inserting after the word "ninety" the word "two."

And, as amended, was passed and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,
Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Porter	Stein
Baker	Douglas	Keck	Prescott	Stewart
Berry	Dowling	Keleher	Reilly	Stone
Braun	Eldredge	Kelsey	Rider, J.J.	Sulzer
Brennan	Fairbrother	Kerr	Robbins	Taylor
Brownell	Finnigan	Kern	Robertson	Terry, C.W.
Burtis	Fish	Kneeland	Robinson	Terry, J.F.
Bush	Foley	Lasch	Robson	Thompson
Butts	Friday	Lawson	Roche	Thornton
Cahill	Fuller	Lee	Ryder, E.L.	Tilton
Callahan	Gardiner	Lounsbury	Scanlon	Tobin
Carroll	Gerst	Loonan	Schoepflin	Trainor

Cassin	Gleason	Marrin	Schulz, F.F.	Tuttle
Chambers	Glenn	McDermott	Seibert	Vacheron
Chapman	Gould	McNamee	Sheffield	Van Amber
Clark, F.E.	Gray	Melody	Sherwood	Vehslage
Clark, J. H.	Harrigan	Mitnacht	Smith, M.F.	Wells
Conklin	Herrman	Myers	Smith, S.W.	Whittet
Corrigan	Higbie	Nixon	Snyder	Wilcox
Cutler	Hobbie	O'Donnell	Southworth	Wray
Davidson	Hoefer	O'Grady	Stadtfeld	Wyckoff
Dean	Hotaling	Parkhurst		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Parkhurst	Stein
Baker	Dinkelspiel	Keck	Porter	Stevens
Berry	Douglas	Keleher	Prescott	Stone
Braun	Dowling	Kelsey	Reilly	Sulzer
Brennan	Eldredge	Kerr	Rider, J.J.	Taylor
Brownell	Fairbrother	Kern	Robbins	Terry, G.W.
Burtis	Fish	Kneeland	Robertson	Terry, J.F.
Bush	Foley	Lasch	Robinson	Thompson
Butts	Friday	Lawson	Robson	Thornton
Cahill	Fuller	Lee	Ryder, E.L.	Tilton
Callahan	Gardiner	Lounsbury	Seanlon	Tobin
Carroll	Gleason	Loonan	Schoepflin	Trainor
Cassin	Glenn	Matthews	Schulz, F.F.	Tuttle
Chambers	Gould	McDermott	Seibert	Vacheron
Chapman	Gray	Melody	Sheffield	Van Amber
Clark, F.E.	Harrigan	Messiter	Sherwood	Vehslage
Clark, J. H.	Herrman	Mitnacht	Smith, M.F.	Wells
Conklin	Higbie	Myers	Smith, S.W.	Whittet
Corrigan	Hobbie	Nixon	Snyder	Wray
Cutler	Hoefer	O'Donnell	Southworth	Wyckoff
Davidson	Hotaling	O'Grady	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

A message from the Senate was received and read in the words following :

IN SENATE, *April 19, 1894.*

Pursuant to a concurrent resolution of the Senate and Assembly the Governor returned the Senate bill (No. 871) entitled "An act amending the highway law, so called, as enacted by chapter 568, Laws of 1890, and the acts amendatory thereof." (Int. No. 299.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Coggeshall, and by unanimous consent, said bill was amended as follows :

Page 2, line 7, strike out all from the word "when" down to the word "excess" in line 14 inclusive.

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	O'Grady	Stadtfeld
Babcock	Douglas	Howe	Parkhurst	Stein
Baker	Dowling	Hoysradt	Prescott	Stevens
Berry	Eldredge	Keck	Reilly	Sulzer
Brennan	Fairbrother	Keleher	Rider, J.J.	Taylor
Brownell	Finnigan	Kelsey	Robbins	Terry, C.W.
Burtis	Fish	Kerr	Robertson	Terry, J.F.
Bush	Foley	Kern	Robinson	Thompson
Cahill	Friday	Kneeland	Roche	Thornton
Callahan	Gardiner	Lasch	Ryder, E.L.	Tobin
Carroll	Gerst	Lawson	Scanlon	Trainor
Cassin	Gleason	Lee	Schoepflin	Tuttle
Chambers	Glenn	Lounsbury	Schulz, F.F.	Vacheron
Chapman	Gould	Loonan	Seibert	Van Amber
Clark, F.E.	Gray	Marrin	Sheffield	Vehslage
Clark, J. H.	Harrigan	McDermott	Sherwood	Wells
Conklin	Hennessy	Melody	Smith, M.F.	Whittet
Corrigan	Herrman	Messiter	Smith, S.W.	Wilcox
Cutler	Higbie	Mittnacht	Snyder	Wray
Davidson	Hobbie	Myers	Southworth	Wyckoff
Dean	Hoefer	Nixon		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Dinkelspiel	Howe	Plant	Stevens
Berry	Douglas	Keck	Prescott	Stone
Braun	Dowling	Keleher	Reilly	Sulzer
Brennan	Eldredge	Kelsey	Rider, J.J.	Taylor
Brownell	Fairbrother	Kerr	Robbins	Terry, C.W.
Burtis	Finnigan	Kern	Robertson	Terry, J.F.
Bush	Fish	Kneeland	Robinson	Thompson
Butts	Foley	Lasch	Roche	Thornton
Cahill	Friday	Lawson	Ryder, E.L.	Tilton
Cain	Fuller	Lee	Scanlon	Trainor
Carroll	Gerst	Lounsbury	Schoepflin	Tuttle
Cassin	Gleason	Loonan	Schulz, F.F.	Vacheron
Chambers	Glenn	Marrin	Seibert	Van Amber
Chapman	Gould	McDermott	Sheffield	Vehslage
Clark, F.E.	Gray	Melody	Sherwood	Wells
Clark, J. H.	Harrigan	Messiter	Smith, M.F.	Whittet
Conklin	Herrman	Mittnacht	Smith, S.W.	Wieman
Corrigan	Higbie	Myers	Snyder	Wilcox
Cutler	Hobbie	Nixon	Southworth	Wray
Davidson	Horton	O'Grady	Stadtfeld	Wyckoff
Dean	Houghton	Parkhurst	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate sent for concurrence the following entitled bill:

"An act to provide for the annexation to the city of Brooklyn of the town of Gravesend, in Kings county" (No. 1048, Rec. No. 404), which was read the first time.

Mr. Friday moved that said bill be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill (No. 422) entitled "An act to amend chapter 332 of the Laws of 1893, entitled 'An act in rela-

tion to the forest preserve and the Adirondack park,' constituting articles 6 and 7 of chapter 43 of the general laws, relating to deer parks in the Catskill regions" (Int. No. 402), with a message that they have concurred in the passage of the same, with the following amendment:

Section 1, line 9, after the word "State" insert the words "and including such adjoining lands as may be deemed necessary."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Hotaling	O'Grady	Stein
Baker	Douglas	Howe	Parkhurst	Stevens
Berry	Dowling	Keck	Porter	Stewart
Braun	Eldredge	Keleher	Reilly	Stone
Brownell	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Burtis	Finnigan	Kerr	Robbins	Taylor
Bush	Fish	Kern	Robertson	Terry, C.W.
Butts	Foley	Kneeland	Robinson	Terry, J.F.
Cahill	Friday	Lasch	Robson	Thompson
Callahan	Fuller	Lawson	Roche	Thornton
Carroll	Gardiner	Lee	Ryder, E.L.	Tobin
Cassin	Gerst	Lounsbury	Schillinger	Trainor
Chambers	Gleason	Loonan	Schoepflin	Tuttle
Chapman	Glenn	Marrin	Schulz, F.F.	Vacheron
Clark, F.E.	Gould	Matthews	Seibert	Van Amber
Clark, J. H.	Gray	McDermott	Sheffield	Vehslage
Conklin	Harrigan	Melody	Sherwood	Wells
Corrigan	Herrman	Messiter	Smith, M.F.	Whittet
Cutler	Higbie	Mittnacht	Snyder	Wieman
Davidson	Hobbie	Myers	Southworth	Wilcox
Dean	Hoefer	Nixon	Stadtfeld	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 395) entitled "An act to amend chapter 614 of the Laws of 1887, entitled 'An act to establish a police pension fund for the city of Rochester'" (Int. No.

407), with a message that they have concurred in the passage of the same with the following amendment:

"§ 2. Subdivision 6 of section 2 of chapter 614 of the Laws of 1887 is hereby amended so as to read as follows:

"6. Such sum per month to be paid by each member of the police force as shall be agreed upon by the members of said force, not less than one-third of one per centum of the monthly pay, salary or compensation of each member of the police force.

"§ 2. This act shall take effect immediately."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Myers	Stewart
Babcock	Douglas	Keck	O'Grady	Stone
Baker	Dowling	Keenan	Porter	Sulzer
Braun	Eldredge	Keleher	Prescott	Taylor
Brennan	Fairbrother	Kelsey	Reilly	Terry, C.W.
Brownell	Fish	Kerr	Rider, J.J.	Terry, J.F.
Burtis	Friday	Kern	Robbins	Thompson
Bush	Fuller	Kneeland	Robson	Thornton
Butts	Gardiner	Lasch	Roche	Tilton
Carroll	Gerst	Lawson	Ryder, E.L.	Tobin
Cassin	Gleason	Lee	Schillinger	Trainor
Chambers	Glenn	Lounsbury	Schoepflin	Tuttle
Chapman	Gould	Loonan	Schulz, F.F.	Vacheron
Clark, F.E.	Herrman	Marrin	Seibert	Van Amber
Clark, J. H.	Higbie	McDermott	Sheffield	Vehslage
Conklin	Hobbie	McKeon	Sherwood	Wells
Corrigan	Hoefer	Melody	Smith, M.F.	Whittet
Cutler	Horton	Messiter	Stadtfeld	Wray
Davidson	Hotaling	Mittnacht	Stein	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1307) entitled "An act to establish an epileptic colony, and making an appropriation therefor" (Int. No. 820), with a message that they have concurred in the passage of the same with the following amendments:

Page 3, line 13, strike out the words "board of managers" and insert the word "comptroller."

Same page, line 16, strike out the word "thereupon."

Same page, line 21, after the word "price" insert the words "to be paid as follows: Ten thousand dollars (\$10,000) upon the delivery of such conveyance, and the balance upon the first day of July, 1895."

Page, 20, line 19, after the word "appropriated" insert the words "twelve thousand dollars of such appropriation shall be immediately available, \$10,000 for the purchase of property and \$2,000 for the protection and care of property, but the balance shall not be available until the first day of July, 1895."

Page 4, lines 3 and 4, strike out the word "immediately" and insert the words "as soon as possible."

Mr. Speaker put the question whether the House would concur in said amendments, and, it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Horton	O'Grady	Stein
Babcock	Davidson	Hotaling	Parkhurst	Stewart
Baker	Dean	Howe	Porter	Stone
Berry	Denniston	Keck	Prescott	Sulzer
Braun	Dinkelspiel	Keleher	Reilly	Terry, C.W
Brennan	Douglas	Kelsey	Rider, J.J.	Terry, J.F.
Brownell	Dowling	Kerr	Robbins	Thompson
Burtis	Fairbrother	Kern	Robertson	Thornton
Bush	Fish	Kneeland	Robinson	Tilton
Butts	Foley	Lasch	Roche	Trainor
Cain	Friday	Lawson	Ryder, E.L.	Tuttle
Callahan	Fuller	Lee	Schoepflin	Vacheron
Carroll	Gardiner	Lounsbury	Schulz, F.F.	Van Amber
Cassin	Gerst	Marrin	Seibert	Vehslage
Chambers	Gleason	McDermott	Sheffield	Wells
Chapman	Glenn	McKeon	Sherwood	Whittet
Clark, F.E.	Gould	Melody	Smith, M.F.	Wilcox
Clark, J. H.	Harrigan	Messiter	Snyder	Wray
Conklin	Higbie	Mittnacht	Southworth	Wyckoff
Corrigan	Hobbie	O'Donnell	Stadtfield	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 595) entitled "An act to amend section 116 of title 2, chapter 10 of part 4 of the Revised Statutes, relating to State prisons" (Int. No. 559), with a mes-

sage that they refuse to concur in the additional amendments of the Assembly made thereto.

Mr. O'Grady moved that a committee on conference be appointed thereon and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. O'Grady, Taylor, Hoeffler, Finnigan and Carroll.

Ordered, that the clerk return said bill to the Senate with a message that the Assembly have appointed a committee of conference thereon, and request a like committee appointed on the part of the Senate.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1714) entitled "An act to amend chapter 401 of the Laws of 1892, entitled 'An act to revise and consolidate the laws regulating the sale of intoxicating liquors'" (Int. No. 884), reported the same with the recommendation that it be amended as follows :

Amend section 1 so as to read as follows :

"Section 1. Section 8 of chapter 401 of the Laws of 1892, entitled 'An act to revise and consolidate the laws regulating the sale of intoxicating liquors,' as amended by chapter 271 of the Laws of 1893, is amended so as to read as follows :

"§ 8. Compensation of commissioners of excise.—The salary of a commissioner of excise of a city, other than the cities of New York and Brooklyn, shall be fixed by the common council of the city, but shall not exceed \$2,500, and in cities of 40,000 inhabitants and over shall not be less than \$500 per annum. The salary of a commissioner of excise of the city of New York shall be fixed by the board of estimate and apportionment of such city, and the salary of a commissioner of excise of the city of Brooklyn shall be fixed by the common council of the city of Brooklyn, but shall not exceed \$5,000 in either case. The board of estimate and apportionment of the city of New York and the board of estimate of the city of Brooklyn shall annually prescribe the maximum amount which shall annually be expended for rent, hire of employes and other necessary expenses of the board of excise of the cities of New York and Brooklyn, respectively. The salaries and expenses of commissioners of excise of a city shall be audited and paid in the same manner as the salaries and expenses of other officers thereof are audited and paid. Each commissioner of excise of a town shall receive compensation at the rate of three dollars for each day of actual attendance

upon the meetings of the board of excise of a town, which shall be a county charge in all counties in which the poor are a county charge and in which there are no cities. A commissioner of excise shall not demand or receive for his services any other compensation, fee or reward than the salary or compensation provided for in this section."

Amend section 2 so as to read as follows :

"§ 2. Section 15 of chapter 401 of the Laws of 1892, is hereby amended to read as follows :

"§ 15. Payment of moneys received by commissioners of excise.— Every board of excise and every commissioner of excise of a city shall, within three days after the receipt of any money by such board or commissioner, pay such money or cause it to be paid into the treasury of such city, or deposit such money in one of the banks designated as a depository for city funds. Such money shall be applied to the payment of the ordinary expenditures payable from the general fund of the city unless otherwise provided by a special or local law. In all counties of this State, except counties containing one or more cities in which the support of the poor is a county charge, all moneys received by the commissioners of excise in the several towns of said county, for licenses or for penalties, shall within thirty days from the receipt thereof be paid to the county treasurer for the support of the poor of such counties. Towns having a board of alms, in such case all excise money shall be paid to the treasurer of the board of alms.

"§ 3. This act shall take effect immediately."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 820, entitled "An act to amend chapter 31 of the Laws of 1890, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, in relation to actions and special proceedings against the city of Brooklyn, and so as to provide for the adjustment of claims against said city'" (Int. No. 759), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate sent for concurrence the following entitled bill:

"An act to release from assessments heretofore made on certain real estate of the Missionary Society of the Most Holy Redeemer

in the State of New York" (not printed, Rec. No. 450), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Fish moved that the committee on taxation and retrenchment be discharged from the further consideration of said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Vehslage, and by unanimous consent, said bill was placed on the order of third reading.

The Senate returned the bill (No. 95) entitled "An act to authorize the election of a board of water commissioners in the village of Liberty, N. Y." (Int. No. 100), with a message that they have concurred in the passage of the same with the following amendment:

Section 1, line 3, change the word "ninety-four" to "ninety-five."

Mr. Seaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Prescott	Stein
Babcock	Eldredge	Keleher	Rider, J.J.	Stevens
Baker	Fairbrother	Kelsey	Robbins	Stone
Braun	Fish	Kern	Robertson	Sulzer
Brownell	Friday	Kneeland	Robson	Taylor
Burtis	Fuller	Lasch	Roche	Terry, J.F.
Cahill	Gardiner	Lawson	Scanlon	Thompson
Callahan	Gerst	Lounsbury	Schoepflin	Thornton
Carroll	Glenn	Marrin	Schulz, F.F.	Trainor
Chambers	Gould	Matthews	Schulz, H	Tuttle
Clark, F.E.	Gray	McNamee	Seibert	Van Amber
Clark, J. H.	Higbie	Melody	Sherwood	Wells
Conklin	Hobbie	Mittnacht	Smith, M.F.	Whittet
Cutler	Horton	Nixon	Smith, S.W.	Wilcox
Dean	Hotaling	O'Grady	Snyder	Wray
Denniston	Howe	Parkhurst	Stadtfeld	Wyckoff
Douglas				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 536) entitled "An act to provide for a commissioner of jurors in counties containing cities of from ninety to 100,000 inhabitants" (Int. No. 511), with a message that they have concurred in the passage of the same with the following amendments:

Section 1, line 1, after the word "county" insert the words "except the county of Onondaga."

Same section, line 2, after the word "than" insert the word "ninety-six."

Same section, line 4, after the word "jurors" insert the words "for such county, and the petit jurors for each city and village therein."

Same section, line 5, after the word "judge" insert the words "surrogate and county clerk."

Same section, line 7, after the word "judge" insert the words "surrogate and county clerk."

Same section, line 2, after the word "by" strike out the word "him" and insert the word "them."

Section 2, line 7, after the word "judge" insert the words "surrogate and county clerk."

Section 4, line 7, after the word "juror" insert the words "said commissioners shall also on or before the fifteenth day of November in each year, complete a list of names of the persons who shall constitute the petit jurors from each city and village in each such county for the ensuing year."

Section 5, line 2, after the word "jurors" insert the words "and said list of petit jurors."

Same section, line 4, after the word "shall" insert the word "each."

Same section, line 5, after the word "a" insert the word "separate."

Same section, line 7, strike out the word "it" and insert the words "such books"; also, in same line, strike out the words "on the first Tuesday in" and insert the words "during the month of."

Same section, line 9, strike out the words "said county clerk's office" and insert the words "such times and places as shall be designated in each city and village by said commissioners."

Same section, line 16, after the word "jurors" insert the words "or petit jurors."

Same section, line 20, change the word "five" to "ten."

Same section, line 21, after the word "list" insert the words "to appear at a time and place designated in said notice;" also, after the word "list" insert the words "of grand jurors."

Section 6, change the word "list" to "lists."

Section 7, strike out the word "two" and insert the word "eight."

Mr. Speaker put the question whether the House would concur

in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	O'Grady	Stein
Babcock	Eldredge	Keenan	Porter	Stevens
Baker	Fairbrother	Kelsey	Prescott	Stewart
Braun	Fish	Kern	Rider, J.J.	Stone
Brennan	Foley	Kneeland	Robbins	Sulzer
Burtis	Friday	La Fetra	Robertson	Terry, C.W.
Cahill	Fuller	Lawson	Robson	Terry, J.F.
Callahan	Gardiner	Lee	Roche	Thornton
Carroll	Gerst	Loonan	Scanlon	Tobin
Chambers	Glenn	Marrin	Schoepflin	Trainor
Clark, F.E.	Gould	McDermott	Schulz, H	Vacheron
Clark, J. H.	Hennessy	McNamee	Sheffield	Van Amber
Coughlin	Herrman	Melody	Sherwood	Wells
Cutler	Higbie	Messiter	Smith, S.W.	Wieman
Dean	Hobbie	Myers	Snyder	Wray
Denniston	Horton	Nixon	Stadtfeld	Wyckoff
Dinkelspiel	Howe			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 365) entitled "An act to exempt the real and personal property of the Larchmont Manor Park Society, in the village of Larchmont, from taxation" (Int. No. 351), with a message that they have concurred in the passage of the same, with the following amendment:

Section 1, line 6, after the word "from" insert the words "all local."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Nixon	Snyder
Babcock	Douglas	Howe	O'Grady	Stadtfeld
Baker	Dowling	Keck	Parkhurst	Stein

Berry	Eldredge	Keleher	Porter	Stevens
Braun	Fairbrother	Kelsey	Prescott	Stewart
Brownell	Fish	Kern	Rider, J.J.	Stone
Burtis	Foley	Kerrigan	Robbins	Sulzer
Bush	Friday	Kneeland	Robertson	Taylor
Butts	Fuller	Lasch	Robson	Terry, J.F.
Callahan	Gardiner	Lawson	Roche	Thompson
Carroll	Glenn	Lounsbury	Scanlon	Thornton
Cassin	Gould	Marrin	Schoepflin	Tilton
Chambers	Gray	Matthews	Schulz, F.F.	Trainor
Clark, F.E.	Herrman	McKeon	Schulz, H	Tuttle
Clark, J. H.	Higbie	McNamee	Selbert	Vacheron
Conklin	Hobbie	Melody	Sheffield	Wells
Coughlin	Hoefler	Messiter	Smith, M.F.	Wieman
Cutler	Hotaling	Myers	Smith, S.W.	Wray
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the concurrent resolutions recalling from the Governor for the purpose of amendment, the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 537 of the Laws of 1892, entitled 'An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York, or otherwise.'" (No. 1663, Int. No. 1427.)

"An act to amend chapter 538 of the Laws of 1889, entitled 'An act to apply to the Cornell University the benefits of the act of Congress of the United States, approved March 2, 1887, entitled An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.'" (No. 276, Int. No. 272.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate, of Senate bill No. 129, entitled "An act to amend chapter 231 of the

Laws of 1873, entitled 'An act to amend the charter of the West Side German Dispensary of the city of New York,' as amended by chapter 437 of the Laws of 1892" (Int. No. 124), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative,

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 994, entitled "An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law and to incur an indebtedness for the grading, macadamizing and improving of highways in said town" (Rec. No. 391), for the purposed of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the village of Johnstown, in the county of Fulton, to issue its bonds for the payment of existing indebtedness." (Int. No. 1469.)

"An act to amend the banking law, relating to securities in which deposits may be invested." (Int. No. 1334.)

"An act to amend the Penal Code, relative to lotteries." (Int. No. 1369.)

"An act to amend the Code of Civil Procedure, relating to jurisdiction of justices of the peace." (Int. No. 1360.)

"An act to provide for the compensation of election officers." (Int. No. 492.)

"An act to amend the game law, relating to stocking from streams." (Int. No. 275.)

"An act to amend chapter 231 of the Laws of 1876, entitled 'An act to make the office of supervisors in the county of Erie a

salaried office, and to provide for the appointment and compensation of the officers of said board." (Int. No. 1353.)

"An act to authorize the city of Yonkers to borrow money and issue bonds for the payment of its indebtedness other than bonded indebtedness which matured prior to March 1, 1894." (Int. No. 1483.)

"An act to amend chapter 543 of the Laws of 1888, entitled 'An act for the protection of dealers in monuments, gravestones, inclosures or other structures in cemeteries.'" (Int. No. 1108.)

"An act to limit the powers of constables and to extend the powers of the members of the police force in criminal actions and proceedings in the county of Richmond." (Int. No. 964.)

"An act to amend the town law relating to compensation of highway commissioner." (Int. No. 1375.)

"An act to further amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888, and chapter 531 of the Laws of 1890, relating to a pension fund for the police department of said city." (Int. No. 1214.)

"An act to authorize the board of street opening and improvement of the city of New York to establish a public place on the southeasterly projection of cedar park in said city for the convenience of public travel and traffic." (Int. No. 1322.)

"An act to repeal chapter 526 of the Laws of 1869, entitled 'An act to establish a uniform width of tracks for vehicles using the public highways in the town of East Hampton and South Hampton, Suffolk county.'" (Int. No. 1338.)

"An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery." (Int. No. 1285.)

"An act to amend chapter 266 of the Laws of 1894, relating to interference with convicts employed on the public highways." (Int. No. 1470.)

"An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws,' as amended by chapter 434 of the Laws of 1893." (Int. No. 432.)

"An act to amend chapter 269 of the Laws of 1892, entitled

‘An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city.’” (Int. No. 1351.)

“An act to correct manifest errors in the general laws.” (Int. No. 1202.)

“An act to authorize religious corporations organized under the provisions of chapter 60 of the Laws of 1813, or of any acts amendatory thereof or supplementary thereto, or under any special act or charter to convey their property to the Brooklyn Church Society of the Methodist Episcopal Church.” (Int. No. 1336.)

“An act to amend chapter 555 of the Laws of 1885, entitled ‘An act to regulate and fix the pay or compensation of members of the police force who are police surgeons or doormen in all cities of this State having, according to the last census, a population exceeding 800,000.’” (Int. No. 1344.)

“An act to amend chapter 231 of the Laws of 1876, relating to the office of supervisor in Erie county.” (Int. No. 1352.)

“An act to provide conditional compensation for teachers of common schools in any town of the State who have taught therein continuously twenty-five years or more.” (Int. No. 1448.)

“An act in relation to Marey avenue in the city of Brooklyn.” (Int. No. 1493.)

“An act to amend chapter 413 of the Laws of 1892, entitled ‘An act to provide for the construction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city.’” (Int. No. 1412.)

“An act to provide a new pumping-house, pumping engines and conduit, with appurtenances thereto, for the purposes of supplying the city of Albany with an increased supply of water.” (Int. No. 840.)

“An act to release to George Hyne, John Kilgour and David Kilgour all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn, county of Kings and State of New York.” (Int. No. 1438.)

“An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims arising from the grant by

the State to Archibald McIntyre, individually, and as executor, and his successors in interest and subsequent grantees and owners and their personal representatives, and to make an award therefor." (Int. No. 1337.)

"An act in relation to the extension and improvement of Liberty avenue in the city of Brooklyn." (Int. No. 1424.)

"An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the Firemen's Association of the State of New York.'" (Int. No. 1436.)

"An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law and to incur an indebtedness for the grading, macadamizing and improving of highways in said town." (Int. No. 1414.)

"An act to amend chapter 348 of the Laws of 1893, entitled 'An act to establish an institution for the care and custody of unteachable idiots.'" (Int. No. 1460.)

"An act to amend the Code of Civil Procedure, relative to appeals." (Int. No. 1408.)

"An act authorizing the clerk of the Assembly to cause to be printed and distributed copies of the game law." (Int. No. 1311.)

"An act to amend chapter 467 of the Laws of 1890, entitled 'An act to authorize a public cemetery in the town of Williamstown, Oswego county.'" (Int. No. 1473.)

"An act to provide for the annexation to the city of Brooklyn of the town of Gravesend, in Kings county." (Int. No. 1035.)

"An act to amend section 1 of article 1 of title 19 of chapter 20 of part 1 of the Revised Statutes, entitled 'Of brokerage, stock-jobbing and pawnbrokers.'" (Int. No. 1321.)

"An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the amount of the claim of Augustus Mackenzie against the State, and to make an award therefor." (Int. No. 1341.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to contracts." (Int. No. 1402.)

"An act relating to an approach to the Washington bridge in

the city of New York, known as Boscobel avenue." (Int. No. 1166.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' by creating a new department to be known as the department of street cleaning." (Int. No. 1243.)

"An act to amend the Penal Code, relating to the sale and use of opium, morphine, chloral, cocaine and medicines and preparations containing such drugs, by pharmacists, apothecaries, druggists, physicians, surgeons, dentists or other persons." (Int. No. 1019.)

"An act to amend section 1925 of the Code of Civil Procedure, in relation to maintaining actions to prevent waste of public funds." (Int. No. 1457.)

"An act in relation to Pacific street in the city of Brooklyn." (Int. No. 1393.)

"An act to amend the Code of Civil Procedure, relative to jurisdiction of justices' courts." (Int. No. 1392.)

"An act to authorize John Rigeman, Jr., of the town of Lockport, to sell and convey the cemetery grounds situated on the farm owned by him in said town." (Int. No. 1383.)

"An act to provide for the construction of a bridge over the Mott Haven canal at One Hundred and Thirty-eighth street in city of New York." (Int. No. 1226.)

"An act to provide for the erection of a building for court purposes in the city of New York." (Int. No. 1000.)

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'" (Int. No. 1375.)

"An act to provide for the payment of the salary of John A. Stemmler as justice of the district court in the city of New York for the seventh judicial district." (Int. No. 1178.)

"An act in relation to proceedings for the voluntary dissolution of corporations, and providing for relief from defects and omissions therein." (Int. No. 1124.)

"An act conferring upon voters in municipal corporations the power of legislation by direct vote." (Int. No. 1330.)

"An act to establish and settle the pierhead and bulkhead lines along the easterly shore of New York harbor, at Bay Ridge, in

the town of New Utrecht, in the county of Kings." (Int. No. 1318.)

"An act empowering the northside water commissioners of a fire district in a part of the town of Waterford, county of Saratoga, to contract with electric light companies organized under the laws of this State or with any person or persons, for lighting the streets and public highways in said district, and providing for the payment therefor by assessment, levy and collection thereof, upon the taxable property of such district" (Int. No. 1264.)

"An act to amend the Penal Code, relating to unauthorized wearing of badges." (Int. No. 1133.)

"An act to repeal chapter 707 of the Laws of 1865, entitled 'An act to fix the compensation of assessors in the several towns of Ulster county.'" (Int. No. 1416.)

"An act for the erection at the State normal and training school at Geneseo, N. Y., of a new building to be used for the scientific department and other purposes, and also an additional separate building for a furnace and boiler-house for heating the several buildings of said school, and making an appropriation therefor." (Int. No. 717.)

"An act in relation to the destruction by fire or heat of all animal and vegetable refuse and garbage in towns and villages having over 10,000 inhabitants." (Int. No. 1456.)

"An act respecting the offices of the keeper and assistant keeper of the hall of records in the city of Brooklyn, county of Kings." (Int. No. 1404.)

"An act to locate the office of the clerk of the town of Ausable." (Int. No. 1385.)

"An act to authorize the common council of the city of Buffalo to transfer Front avenue to the board of park commissioners as a park approach." (Int. No. 1374.)

"An act for the relief of Wesley S. Yard." (Int. No. 1374.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to St. John's Guild." (Int. No. 1317.)

"An act to provide for the annexation of the county towns of Kings county to the city of Brooklyn, and to merge the city and county governments." (Int. No. 1006.)

"An act to amend chapter 238 of the Laws of 1890, entitled 'An act to provide for the establishment of a house of refuge for women in western New York.' " (Int. No. 1401.)

"An act for the release of any interest of the State in certain lands in the city of Buffalo to Henry Koons." (Int. No. 792.)

"An act to provide for a county auditor, and to regulate the purchase of supplies for the county institutions and officers of the county of Erie." (Int. No. 1352.)

"An act for the adjustment and satisfaction of certain taxes upon the property of Union College." (Int. No. 951.)

The Senate returned the following entitled bill:

"An act to establish an epileptic colony, and making an appropriation therefor." (No. 1307, Int. No. 820.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the following entitled bills:

"An act to grant and release to William Barker all the right title and interest of the people of the State of New York in and to certain real estate in the city of Buffalo " (No. 915, Rec. No. 444), which was read the first time.

On motion of Mr. Seibert, said bill was laid aside.

"An act authorizing the construction of new buildings at Sing Sing prison, making an appropriation therefor, and authorizing the expending of certain moneys for that purpose" (No. 474, Rec. No. 440), which was read the first time and referred to the committee on affairs of villages.

"An act to empower the trustees of the several State hospitals for the insane to appoint a committee to discharge patients during intervals between the regular meetings of said boards" (not printed, Rec. No. 429), which was read the first time and referred to the committee on charitable and religious societies.

"An act to authorize the construction of a new bridge connecting Pelham Bay Park with City Island, in the county of Westchester" (No. 961, Rec. No. 437), which was read the first time and referred to the committee on commerce and navigation.

"An act providing for the examination of applicants for foremen, inspectors and supervisors in the department of public works in the city of New York and the department of city works in the city of Brooklyn " (No. 431, Rec. No. 446), which was read the first time and referred to the committee on the judiciary.

"Concurrent resolution proposing amendment to article 6 of

the Constitution of this State in relation to county judges and court of sessions in the county of Kings" (No. 458, Rec. No. 445), which was read the first time and referred to the committee on the judiciary.

"An act relating to the improvement of public parks in the city of Brooklyn and to provide the means of payment therefor" (No. 713, Rec. No. 408), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872" (No. 1046, Rec. No. 434), which was read the first time and referred to the committee on affairs of cities.

"An act to remit interest up to April 15, 1894, on assessments levied on real property abutting on Jefferson avenue, between Nostrand avenue and Tompkins avenue, in the city of Brooklyn, for repairing said avenue" (not printed, Rec. No. 433), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the city of Rochester to issue bonds to pay for a water distributing system" (No. 1024, Rec. No. 411), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the establishment of a system for lighting the village of North Tonawanda, Niagara county, with electric light, and to provide the necessary funds for that purpose" (No. 908, Rec. No. 410), which was read the first time and referred to the committee on affairs of villages.

"An act in relation to the acquisition of land for public parks by the city of Brooklyn, and to provide the means of payment therefor" (No. 714, Rec. No. 409), which was read the first time and referred to the committee on affairs of cities.

"An act to prohibit the manufacture or sale of pearl buttons or any article manufactured from pearl shells in any prison or penitentiary in the State of New York" (No. 987, Rec. No. 431), which was read the first time and referred to the committee on labor and industries.

"An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law and to incur an indebtedness for the grading,

macadamizing and improving of highways in said town" (No. 994, Rec. No. 391), which was read the first time and referred to the committee on internal affairs.

"An act to incorporate the Firemen's Benevolent Fund Association of Mount Vernon, N. Y." (No. 995, Rec. No. 436), which was read the first time and referred to the committee on general laws.

"An act authorizing the city of Yonkers to issue street improvement bonds" (No. 1034, Rec. No. 439), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the game law, in relation to dredging and raking for oysters and clams" (No. 1007, Rec. No. 456), which was read the first time and referred to the committee on fisheries and game.

"An act to further extend and amend an act entitled 'An act to incorporate the Wandowenock Fire, Hook and Ladder Company,' passed April 15, 1845" (not printed, Rec. No. 424), which was read the first time and referred to the committee on general laws.

"An act to amend the game law" (No. 942, Rec. No. 384), which was read the first time and referred to the committee on fisheries and game.

"An act to amend chapter 401 of the Laws of 1892, entitled 'An act to revise and consolidate the laws regulating the sale of intoxicating liquors'" (No. 1065, Rec. No. 460), which was read the first time and referred to the committee on excise.

"An act to provide for collection of taxes assessed in the name of deceased persons" (not printed, Rec. No. 419), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to change the name of the Home Benefit Society" (not printed, Rec. No. 423), which was read the first time and referred to the committee on insurance.

"An act in relation to the equalization of taxes" (No. 647, Rec. No. 416), which was read the first time and referred to the committee on taxation and retrenchment.

"An act conferring jurisdiction upon the State Board of Claims to hear, audit and determine all claims arising for damages incurred, and that may be hereafter incurred by any person or persons in the floating of logs and timber on the Black river, in

the county of Oneida, by reason of the erection or maintenance by the State of any dam or dams across the Black river in Oneida county, New York" (No. 897, Rec. No. 421), which was read the first time and referred to the committee on claims.

"An act to further amend chapter 449 of the Laws of 1871, entitled 'An act authorizing the trustees of the village of College Point to issue bonds and borrow money for the erection of a school house in said village, and to increase the school tax in said village,' as amended by chapter 111 of the Laws of 1887" (No. 1052, Rec. No. 428), which was read the first time and referred to the committee on affairs of villages.

"An act in relation to the extension and improvement of Douglas street in the city of Brooklyn" (No. 877, Rec. No. 396), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 2006 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to theatrical licenses" (No. 626, Rec. No. 387), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 12 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (No. 953, Rec. No. 398), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 618 of the Code of Criminal Procedure" (No. 765, Rec. No. 386), which was read the first time and referred to the committee on codes.

"An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the village of Gloversville'" (not printed, Rec. No. 395), which was read the first time and referred to the committee on affairs of villages.

"An act authorizing the executors and trustees of the estate of Charles Pratt, deceased, to set apart lands to be used as a family cemetery, to erect a mausoleum thereon, and to legalize a trust of real and personal property for that purpose" (No. 1039, Rec. No. 432), which was read the first time and referred to the committee on the judiciary.

"An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo" (not printed, Rec. No. 415),

which was read the first time and referred to the committee on ways and means.

"An act to enable the city of Albany to procure additional land for park purposes" (No. 1002, Rec. No. 413), which was read the first time and referred to the committee on affairs of cities.

"An act for relief of certain churches in the Twenty-third ward of the city of New York" (No. 984, Rec. No. 452), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 361 of the Laws of 1884, entitled 'An act to establish a State board of pharmacy and to regulate the practice of pharmacy throughout the State of New York except in the counties of New York, Kings and Erie' (No. 812, Rec. No. 435), which was read the first time and referred to the committee on general laws.

"An act to amend the town law" (not printed, Rec. No. 427), which was read the first time and referred to the committee on general laws.

"An act for the preservation of macadamized public highways in Queens county" (No. 1079, Rec. No. 425), which was read the first time, and referred to the committee on internal affairs.

"An act relating to checks, drafts, bills of exchange and promissory notes" (No. 534, Rec. No. 399), which was read the first time and referred to the committee on banks.

"An act conferring jurisdiction on the Board of Claims to hear and determine the claim of Chester Ray against the State and to make an award therefor" (No. 531, Rec. No. 389), which was read the first time and referred to the committee on claims.

"An act authorizing the construction of a stone wall along the edge of the towing path of the Erie canal and on the west line of property known as No. 10 Austin street, in the city of Buffalo, and making an appropriation therefor" (No. 1026, Rec. No. 417), which was read the first time.

On motion of Mr. Gerst, said bill was laid aside.

"An act to authorize the common council of the city of Buffalo to transfer Front avenue to the board of park commissioners as a park approach" (No. 963, Rec. No. 455), which was read the first time.

On motion of Mr. Gerst, said bill was laid aside.

"An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 198 of the Laws of 1892" (No. 892, Rec. No. 458), which was read the first time and referred to the committee on affairs of cities.

"An act to supplement the provisions of section 20, title 2 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and the acts amendatory thereof, in relation to the board of estimate, by extending the benefits of such acts to certain institutions in the city of Brooklyn" (not printed, Rec. No. 463), which was read the first time and referred to the committee on affairs of cities.

"An act authorizing the city of Yonkers to issue bonds for the extension and better equipment of the fire department" (No. 980, Rec. No. 438), which was read the first time and referred to the committee on affairs of cities.

"An act authorizing the construction of new buildings at Sing Sing prison, making an appropriation therefor, and authorizing the expending of certain moneys for that purpose" (No. 474 Rec. No. 440), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter 56 of the Laws of 1894, entitled 'An act laying out a public park in the Twelfth ward of the city of New York, and authorizing the taking of lands for the same'" (not printed, Rec. No. 466), which was read the first time.

On motion of Mr. Marrin, and by unanimous consent, said bill was placed on the order of third reading and referred to the committee on affairs of cities.

"An act relating to the jurisdiction of the Board of Claims" (No. 1022, Rec. No. 394), which was read the first time.

On motion of Mr. Foley, and by unanimous consent, said bill was read the second time and placed on the order of third reading.

"An act to repeal chapter 414 of the Laws of 1892, entitled 'An act to amend section 2 of chapter 299 of the Laws of 1890, entitled An act to provide for the erection of a building for certain purposes relating to the public interest in the city of New York, amending chapter 323 of the Laws of 1888'" (No. 320, Rec. No. 465), which was read the first time.

On motion of Mr. Ainsworth, said bill was referred to the committee on rules.

"An act for the relief of John B. Kavanagh" (No. 1038, Rec. No. 463), which was read the first time.

On motion of Mr. O'Grady, and by unanimous consent, said bill was read the second time and placed on the order of third reading.

"An act to amend section 471 of chapter 410 of the Laws of 1882, entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York," relative to the construction or use of stables near places of public worship" (No. 1062, Rec. No. 422), which was read the first time.

On motion of Mr. Herrman, and by unanimous consent, said bill was placed on the order of third reading and referred to the committee on affairs of cities.

"An act to amend sections 899 and 911 of the Code of Criminal Procedure, relative to disorderly persons" (No. 982, Rec. No. 430), which was read the first time.

On motion of Mr. Sulzer, said bill was substituted for Assembly bill No. 1715, Int. No. 1389, same title and subject, now on the order of third reading.

"An act to provide for the construction of a building for hospital purposes in the city of New York" (No. 1101, Rec. No. 467), which was read the first time.

On motion of Mr. Roche, and by unanimous consent, said bill was ordered to a third reading and referred to the committee on rules.

"An act to authorize the town of Newtown, in Queens county, to convey certain real estate, being a part of its common lands" (not printed, Rec. No. 426), which was read the first time.

On motion of Mr. Fairbrother, said bill was substituted for Assembly bill No. 1509, Int. No. 1308, same title and subject, now on the order of third reading, and laid aside.

"An act to provide for the erection of a building for court purposes in the city of New York" (No. 1013, Rec. No. 449), which was read the first time.

On motion of Mr. Dinkelspiel, said bill was substituted for Assembly bill No. 1606, Int. No. 100, same title and subject, now on the order of third reading.

"An act in relation to excise moneys collected in the village of Williamsville" (No. 1049, Rec. No. 420), which was read the first time.

On motion of Mr. Gerst, said bill was substituted for Assembly bill No. 1720, Int. No. 1440, same title and subject, now on the order of third reading.

"An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery" (No. 1056, Rec. No. 453), which was read the first time.

On motion of Mr. Gardner, said bill was substituted for Assembly bill No. 1486, Int. No. 1285, same title and subject, now on the order of third reading.

"An act to ratify and confirm the constitution of the Seneca nation of Indians, adopted on the 13th of January, 1893" (No. 990, Rec. No. 451), which was read the first time.

On motion of Mr. C. W. Terry, said bill was substituted for Assembly bill No. 1430, Int. No. 1250, same title and subject, now on the order of third reading.

"An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the Firemen's Association of the State of New York'" (No. 1005, Rec. No. 414), which was read the first time.

On motion of Mr. Keenan, said bill was substituted for Assembly bill No. 1672, Int. No. 1436, same title and subject, now on the order of third reading.

"An act to amend an act entitled 'An act in relation to the elections, constituting chapter 5 of the general laws,' being chapter 680 of the Laws of 1892" (No. 1045, Rec. No. 448), which was read the first time.

On motion of Mr. Ainsworth, said bill was referred to the committee on rules.

"An act to amend the election law, being chapter 680 of the Laws of 1892" (not printed, Rec. No. 447), which was read the first time,

On motion of Mr. Ainsworth, said bill was referred to the committee on rules.

"An act amend chapter 29 of the Laws of 1886, entitled 'An act to amend chapter 410 of the Laws of 1884, entitled An act to amend chapter 354 of the Laws of 1883, entitled An act to

regulate and improve the civil service of the State of New York' " (No. 580, Rec. No. 392), which was read the first time.

On motion of Mr. S. W. Smith, said bill was substituted for Assembly bill No. 1014, Int. No. 930, same title and subject, now on the order of third reading.

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of commissioners of parks in said city " (No. 510, Rec. No. 441), which was read the first time.

On motion of Mr. Ainsworth said bill was referred to the committee on rules.

"An act to provide for the care and support by the State of pauper Indians " (No. 909, Rec. No. 393), which was read the first time.

On motion of Mr. C. W. Terry, said bill was substituted for Assembly bill No. 1485, Int. No. 1284, same title and subject, now on the order of third reading.

"An act to authorize the State Engineer and Surveyor to resurvey and re-establish the blue line on the tow-path of the Erie canal in the city of Utica, for the east line of Park avenue, to a point about fifty feet east of the waste-weir " (No. 998, Rec. No. 388), which was read the first time.

On motion of Mr. Hoefler, and by unanimous consent, said bill was read the second time and placed on the order of third reading.

"An act to provide for the grading and other improvement of certain park lands in the city of Brooklyn, and to provide the means therefor " (not printed, Rec. No. 459), which was read the first time.

On motion of Mr. Taylor, and by unanimous consent, said bill was read the second time and placed on the order of third reading.

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica ' " (not printed, Rec. No. 454), which was read the first time.

On motion of Mr. Hoefler, and by unanimous consent, said bill was read the second time and placed on the order of third reading.

"An act to authorize the Buffalo library to take and hold prop-

erty for special purposes" (No. 923, Rec. No. 443), which was read the first time.

On motion of Mr. Seibert, said bill was substituted for Assembly bill No. 1511, Int. No. 1310, same title and subject, now on the order of third reading.

"An act to incorporate the Masonic Benefit Association of the city of Rochester" (not printed, Rec. No. 412), which was read the first time.

On motion of Mr. O'Grady, said bill was made a special order on second and third readings for Monday evening next, immediately after the reading of the journal.

"An act to repeal section 4 of chapter 347 of the Laws of 1880, entitled 'An act to provide for the reporting of appointments or commitments to the benevolent institutions of the State, excepting the county of Kings,' so as to make the provisions of said act applicable to every county of the State" (No. 798, Rec. No. 390), which was read the first time.

On motion of Mr. Wray, said bill was substituted for Assembly bill No. 1091, Int. No. 981, same title and subject, now on the order of third reading.

The Senate returned the bill (No. 1209) entitled "An act to amend the game law" (Int. No. 1100), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section twenty-six, article two, chapter four hundred and eighty-eight of the laws of eighteen hundred and ninety-two, entitled "An act for the protection, preservation and propagation of birds, fish and wild animals in the state of New York and the different counties thereof," as amended by chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 26. Duties of protectors.—The game and fish protectors shall enforce all the fish and game laws of the state, and the provisions supplementary thereto made by boards of supervisors for the additional protection of fish and game, and shall have full power to execute all warrants and search warrants issued for the violation of the fish and game laws, and to serve subpoenas issued for the examination, investigation or trial of all offenses against said laws.

§ 2. Section forty-nine, article three, of said act, as amended by

chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 49. Black and gray squirrels, hares and rabbits.—Black and gray squirrels, hares and rabbits shall not be hunted, shot at, killed or possessed between the first day of January and the first day of September, except in Cattaraugus county and as provided by section one hundred and seventy-one, and except that in the counties of Saint Lawrence, Franklin, Essex, Clinton, Lewis, Warren, Hamilton, Herkimer, Jefferson, Monroe, Chemung, Richmond, Fulton, Seneca, Ontario, Wayne and Oneida, rabbits may be hunted, shot at, killed and possessed between August fifteenth and March fifteenth. The use of ferrets in the hunting of rabbits is hereby prohibited in the counties of Onondaga and Orange.

§ 3. Section seventy, article four, of said act, as amended by chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 70. Wild fowl; close season.—Web-footed wild fowl, except geese and brant, shall not be pursued, shot at, hunted, killed, possessed or sold between the first day of March and the first day of September, except in the counties of Queens and Suffolk the close season shall commence May first and end September first, except as provided by section one hundred and sixty-one, and shall not be pursued, shot at, hunted or killed between sunset and daylight. On the Hudson river south of the Troy dam boats propelled by hand may be used for the purpose of shooting web-footed fowl.

§ 4. Article four of said act is hereby amended by adding a new section, to be known as section eighty-six, to read as follows:

§ 86. Mongolian ring-necked pheasant.—No person shall kill, expose for sale or have in his or her possession after the same has been killed, any wild Mongolian ring-necked pheasant (*phasianus torquatus*), for a period of three years from the passage of this act.

§ 5. Section one hundred and five, article five, of the said act is hereby amended to read as follows:

§ 105. Trout, close season.—Trout of any kind shall not be fished for, caught, killed, or possessed between the first day of September and the first day of April following except in the waters of Lake George and except in the counties of Lewis, Saint Lawrence, Franklin, Fulton, Clinton, Essex, Warren, Hamilton, Herkimer and Saratoga where they shall not be fished for, caught, killed or possessed between the first day of September and the fifteenth of April.

§ 6. Section one hundred and ten of said act is hereby amended to read as follows:

§ 116. Close season, black bass and Oswego bass; pickerel and wall-eyed pike in Saint Lawrence river.—Black bass or Oswego bass shall not be fished for, caught, killed or possessed between the first day of January and the thirtieth day of May except as provided by sections one hundred and forty-four and one hundred and sixty-eight. Pickerel or wall-eyed pike shall not be fished for, caught, killed or possessed in the Saint Lawrence river between the first day of January and the thirtieth day of May.

§ 7. Section one hundred and fifteen, article five, of said act, as amended by chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 115. Sizes of meshes regulated.—The use of seines, pound-nets, gill-nets or fykes for taking fish, the meshes of which shall be less than one and one-eighth inch bar, is prohibited, except as provided by sections one hundred and thirty-four, one hundred and forty-five, one hundred and forty-six and one hundred and seventy-three, as hereinafter amended.

§ 8. Article five of said act is hereby amended by adding thereto a new section, to be known as section one hundred and twenty-one, to read as follows:

§ 121. Salt-water striped bass.—No salt-water striped bass less than eight inches in length shall be intentionally taken from any of the waters of this state nor possessed; and in case any such fish is taken, the person taking shall immediately place such fish back into the water from which it was taken without unnecessary injury. A violation of this section is a misdemeanor, and in addition thereto, the violator is liable to the same penalties as are prescribed for the violation of section one hundred and fourteen.

§ 9. Section one hundred and thirty-two of said act is hereby amended to read as follows:

§ 132. Lake Ontario, Lake Erie, Niagara river and Lake Champlain; fishing by certain devices prohibited.—No fish shall be fished for, caught or killed in any manner or by any device except angling, in the waters of Lake Erie, within one-half of the mile of the shores thereof, nor of any of the islands therein, or in the Cattaraugus creek or within five miles of the mouth thereof, nor of any island therein; nor in Lake Ontario, within one mile of the shore, nor of any island therein (the waters of Lake Ontario in the county of Jefferson, included between Blue Rock point, in the town of Brownville, and the town line between the towns of Lyme and Cape Vincent, including Chaumont bay, Griffin bay and Three Mile bay, and in the county of Oswego between the westerly line of the town of Mexico and Jefferson county line are

hereby exempt from the provisions of this act, but sections one hundred and ten, one hundred and eleven and one hundred and sixty-eight of this act shall apply to said waters). Nor shall fish taken contrary to the provisions of this section be knowingly possessed.

§ 10. Section one hundred and thirty-six, article six, of said act, as amended by chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 136. Taking shad, herring and other fish in the Hudson and Delaware rivers, Wallkill and Rondout creeks.—Shad and herring shall not be taken from Rondout creek or the Hudson or Delaware rivers between the fifteenth day of June, and the fifteenth day of March following, nor shall nets for shad be permitted to remain in said waters from sunset on Saturday until sunrise on the following Monday at any time, Between the fourteenth day of March and the fifteenth day of June, shad and herring may be taken from said waters by nets, and between the first day of September and the thirtieth day of May following, bullheads, catfish, sunfish, suckers, eels, pickerel, sturgeon, white and yellow perch may be caught by means of hoop-nets, fykes and gill-nets in the Hudson river, Wallkill creek and in Rondout creek below the dam at Eddyville, and in Wappingers creek. Nets shall not be set or used north of the dam at Troy. Between June first, and September first sturgeon may be also taken in the waters of the Hudson river with sturgeon nets of meshes not less than seven inches. Nothing in this section shall be construed as prohibiting the catching of fish with hook and line in Rondout creek at any time.

§ 11. Section one hundred and thirty-eight, article six, of said act is hereby amended to read as follows:

§ 138. Richmond county and New York or Raritan bay regulation as to nets.—No device except angling shall be placed, drawn or used for the capture of any fish, except menhaden, in the waters of Raritan bay, nor in any waters adjacent thereto in Richmond county, except that shad may be taken by shad-nets between the fifteenth day of March and the fifteenth day of June, but said nets shall not be allowed to remain in said waters from Saturday at sunset to the following Monday at sunrise.

§ 12. Section one hundred and forty, article six, of said act, as amended by chapter sixty-two of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 140. Exceptions as to Saint Lawrence county and Lake Champlain in Essex county and Warren county.—Bullheads, eels, suckers, catfish, and pickerel may be caught with spears, except

during March, April and May, and pike in Lake Champlain, in Essex county. It shall be lawful at any time to fish for perch, suckers, bullheads and pickerel with nets and fykes; to shoot and spear such fish through ice and to catch the same in any of the streams, ponds or lakes in Warren county, excepting in Schroon lake and Long pond or Glen lake and Lake George, as to the use of nets, fykes and the catching of bullheads. No fish of any kind, except suckers and billfish or gar-pikes, shall be caught in Black lake, in Saint Lawrence county, or in the waters tributary to said lake, or in the Oswegatchie river, from the boundaries of the city of Ogdensburg to the village of Heuvelton, between the fifteenth day of November and the first day of May. No transportation company in Saint Lawrence or Jefferson counties shall transport any fish caught contrary to the provisions of this section, and when fish, at any time, are offered such company for transportation, they may, at their option, refuse to accept the same until satisfactory proof is furnished that they were not caught in violation of law.

§ 13. Section one hundred and forty-one article six of said act as amended by chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three is hereby amended to read as follows:

§ 141. Pickerel, bullheads, catfish, eels, perch and sunfish may be fished for with set lines and through the ice with tip-ups, in any of the waters of the state not inhabited by trout, lake trout, salmon trout or land-locked salmon; except in the Saint Lawrence river and in Great Sodus bay in the county of Wayne; suckers, bullheads, eels and dogfish may be caught at any time by means of hooking and spearing in any of the waters of the state, except in Clyde river and the Canandaigua outlet in the county of Wayne, Saint Lawrence river in the counties of Jefferson and Saint Lawrence, and Seneca river and Cayuga, Owaseo and Oneida lakes and in Canada lake, Fulton county. Except as herein otherwise provided fishing with nets in any of the rivers and lakes is hereby prohibited excepting that suckers may be caught by means of dip-nets in the streams of Monroe county not inhabited by trout between the twentieth day of March and the twentieth day of May. .

§ 14. Section one hundred and forty-two, article six, of said act, as amended by chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 142. Eel-weirs.—Eel-weirs of which the laths are not less than one-half inch apart may be maintained in the Oneida and Oswego rivers, and from the first day of September to the fifteenth day of October in the Tioughnioga and Ostelic rivers in the county

of Cortland; provided that there be a clear passage at low-water mark for boats and fish, of not less than ten feet in width. Eel-pots of a form and character such as may be prescribed by the rules of the commissioners of fisheries, may be used in any waters not inhabited by trout, lake trout, salmon trout or land-locked salmon.

§ 15. Section one hundred and forty-nine, article six, of said act, as amended by chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 149. Frostfish and whitefish may be taken with nets in certain lakes.—Frostfish and whitefish may be taken with nets from inland fresh-water lakes at such times and in such manner and under such rules and regulations as the commissioners of fisheries, at a regular meeting of the board, may, in their discretion, prescribe, which rules and regulations may be amended or abrogated by said board at any regular meeting. Such rules may be either general or special, at the option of the board, and may be published in such manner as it deems proper. Any violation of such rules and regulations made by the commissioners of fisheries shall be a misdemeanor, and the violator, in addition thereto, shall be liable to a penalty of one hundred dollars for each violation. Fish may be taken from the waters of Otsego lake in the county of Otsego, between the first day of May and the first day of September, of each year, with seines having meshes not less than one and three-quarters inches, provided, however, that such fishing with seines shall only be done in the daytime, between sunrise and sunset.

§ 16. Section one hundred and ninety-one, article eight, of said act, as amended by chapter five hundred and seventy-three of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 191. Dredging and raking for oysters and clams regulated.—No dredge operated by steam power, or weighing over fifty pounds, shall be used on beds of natural growth in dredging for shellfish. No rake, tongs, dredge or other device shall be used for taking hard or round clams with spaces or openings between the teeth or prongs of less than one inch, and no hard or round clams less than one inch in thickness, shall be caught or possessed, but if caught, shall be returned to the water from which they were taken without unnecessary injury, except as provided in section one hundred and seventy-three.

§ 17. Section two hundred and forty-four, article ten, of said act is hereby amended to read as follows:

§ 244. Jurisdiction of courts.—Courts of special sessions in towns and villages, and the several courts in cities having jurisdiction to try misdemeanors, as provided by section fifty-six of the

code of criminal procedure, shall have jurisdiction to try offenders in all cases occurring under this chapter, in the same manner as in other cases where they now have jurisdiction, and to render and enforce judgment to the extent herein provided, and said courts shall have jurisdiction of all said offenses committed within the county where said courts are held, in the same manner as though the defendant had been taken before a magistrate of the town where the offense was committed.

§ 18. Subdivision seven of section two hundred and seventy-one, article twelve, of said act is hereby amended to read as follows:

7. Where an act is prohibited between certain dates, it is not lawful upon the date first named, and is lawful upon the date last named, but when such last date shall fall upon Sunday it shall be lawful to shoot, hunt or fish on the preceding Saturday, as if that day was the date so named in this act.

§ 19. Section two hundred and sixty, article eleven, of said act is hereby amended so as to read as follows:

§ 260. Commissioners to be notified of construction of dam.—No dam shall be constructed by the state or any person upon any stream more than six miles in length inhabited by fish protected by this chapter, until the person about to construct, or the officers having charge of the construction of the same shall give written notice to the commissioners of such intention, together with a statement of the name, length and location of said stream, and the size and general description of such dam, and the purposes for which it is to be erected, together with a diagram thereof.

§ 20. Section two hundred and sixty-one, article eleven, of said act is hereby amended so as to read as follows:

§ 261. Authority of commissioners to direct fish ways.—The commissioners are authorized in such cases to direct the construction of suitable fish ways by an entry on their minutes and service of a copy of such order on the person constructing or officers having charge of the construction of such dam, and the person so constructing shall at his own expense, or the officers having charge of such construction shall out of the funds appropriated for the construction of such dam comply with such directions, subject, on application on notice as on a motion, to the right of the supreme court to affirm, reverse, modify or alter such directions.

§ 21. This act shall take effect immediately.

Mr. Thornton moved to nonconcur in said amendments, and that a committee of conference be appointed, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee of conference Messrs. Van Amber, Thornton, Denniston, Kerr and Keenan.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

The Senate returned the bill (No. 1341) entitled "An act to amend the election law, being chapter 680 of the Laws of 1892" (Int. No. 155), with a message that they have concurred in the the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following :

Section 1. The following sections of the election law are amended so as to read respectively as follows:

§ 6. Notice of submission of proposed constitutional amendment or other proposition.—If it is provided by law that a constitutional amendment or other proposition or question shall be submitted to a popular vote at a general election, the secretary of state shall include in his notice to the county clerk, of the general election, a copy of such amendment, proposition or question, with the form of the ballot to be voted thereon; and if more than one such amendment, proposition or question is to be voted upon at such election, such amendments, propositions or questions respectively shall be separately and consecutively numbered. If such amendment, proposition or question is to be submitted at a special election, the secretary of state shall, at least twenty days before the election, make and transmit to each county clerk a like notice. Each county clerk shall, forthwith upon the receipt of either such notice, file and record it in his office.

§ 7. Publication of concurrent resolutions, proposed constitutional amendments and other propositions.—The secretary of state shall cause each concurrent resolution of the two houses of the legislature agreeing to a proposed amendment to the constitution, which is referred to the legislature to be chosen at the next general election of senators, to be published once a week for three months next preceding such election, in two newspapers published in each county, representing the two political parties polling the highest number of votes at the then last preceding general election, and in one additional newspaper published in each county for every one hundred thousand people in such county, as shown by the then last preceding federal or state enumeration. Such additional newspapers shall be selected by the secretary of state with reference to making such publications in newspapers having the largest circulation in the county in which they are published.

If such resolution does not state that such proposed amendment is so referred to such legislature, the secretary of state shall publish, in connection with the publication of such concurrent resolution, a statement that such amendment is referred to the legislature to be chosen at the next general election. The secretary of state shall cause such proposed amendment to the constitution or other proposition or question, which is by law to be submitted to the electors of the state at a general or special election, to be published for the like period before such election in newspapers selected in like manner, together with a brief statement of the law or proceedings authorizing such submission, the fact that such submission will be made, and the form of the ballot to be voted thereon. If such proposed amendment or other proposition or question is to be submitted at a special election, to be held less than three months from the time of appointing it, the first publication in each newspaper shall be made as soon as practicable after such appointment, and shall continue once in each week to the time of the election.

§ 8. Creation, division and alteration of election districts.—Every town or ward of a city not subdivided into election districts shall be an election district. The town board of every town containing more than four hundred voters, and the common council of every city, except New York and Brooklyn, in which there shall be a ward containing more than four hundred voters, shall, on or before the first day of July in each year, divide such town or ward respectively into election districts, each of which shall be compact in form, wholly within the town or ward, and shall contain not more than four hundred voters, but no such town or ward shall be again divided into election districts until at some general election, the number of votes cast in one or more districts thereof shall exceed five hundred; and, in such a case, the redivision shall apply only to the town or ward in which such district is situated. If any part of a city shall be within a town, the town board shall divide, into election districts, only that part of the town which is outside the city, and no election district including any part of a city shall include any part of a town outside of a city. A town, or a ward of a city, containing less than four hundred voters may, at least thirty days before the election or appointment of inspectors of election of such town or ward, be divided into election districts by the town board of the town or the common council of the city, when, in the judgment of such board or council, the convenience of the voters will be promoted thereby. The creation, division or alteration of an election district outside of a city shall take effect immediately after the next town meet-

ing, and at such next town meeting inspectors of election shall be elected for each election district in the town as constituted by such creation, division or alteration. If the creation, alteration or division of an election district is rendered necessary by the creation or alteration of a town, or ward of a city, it shall take effect immediately, but a new town or ward shall not be created and no new town or ward shall be subdivided into election districts between the first day of September of any year and the day of the general election next thereafter. If inspectors are not elected for such district outside of a city before September first next thereafter, the town board of the town shall appoint four inspectors of election of such district, two of whom shall be voters of the political party polling the highest number of votes and two of whom shall be voters of the political party polling the next highest number of votes for state officers at the next preceding general election at which state officers were elected.

§ 10. Designation of places for registry and voting; provision of furniture therefor.—On the first Tuesday of September of each year, the town board of each town and the common council of each city, except New York and Brooklyn, shall designate the places in each election district in the city or town at which the meetings for the registry of voters and the elections shall be held during the year. Each room so designated shall be of a reasonable size, sufficient to admit and comfortably accommodate at least twenty electors at a time outside of the guard-rails. No building or part of a building shall be so designated in any city if, within sixty days before such designation, intoxicating liquors, ale or beer shall have been sold in any part thereof. No room shall be so designated elsewhere than in a city if, within sixty days before such designation, intoxicating liquors, ale or beer shall have been sold in such room, or in a room adjoining thereto with a door or other passageway between the two rooms. No intoxicating liquor, ale or beer shall be sold in such building in a city, or in such room or adjoining room elsewhere, after such designation and before the general election next thereafter, or be allowed in any room in which an election is held during the day of the election. If any place so designated shall thereafter and before the close of the election be destroyed, or for any reason become unfit for use, or can not, for any reason, be used for such purpose, the officers charged with the designation of a place for such election shall forthwith designate some other suitable place for holding such election. Not more than one polling place shall be in the same room, and not more than two polling places shall be in the same building. The officers authorized to designate such places in any town or city shall provide for each polling

place, at each election, the necessary ballot and other boxes, guard-rail, voting booths and supplies therein, and the other furniture of such polling place necessary for the lawful conduct of each election thereat; shall preserve the same when not in use, and shall deliver all such ballot or other boxes for each polling place, with the keys thereof, to the inspectors of election of each district at the opening of the polls of each election.

§ 13. Ballot boxes.—Except in the cases mentioned in section eighty-two of this act there shall be but one ballot-box at each polling place for receiving all ballots cast for candidates for office. But if proposed constitutional amendments, or other propositions or questions, may lawfully be voted upon thereat, there shall be a separate ballot-box at each polling place for the reception of ballots upon such amendments or propositions or questions. Each such ballot-box shall be provided with a sufficient lock and key, and with an opening in the lid large enough and not larger than may be necessary to allow a single folded ballot to be easily passed through such opening into the box. Each such box shall be large enough to properly receive and hold all ballots which may lawfully be deposited therein at any election.

§ 14. Voting booths and guard-rails.—There shall be in each polling place during each election a sufficient number of voting booths, not less than one for every fifty voters in the election district. Each such booth shall be at least three feet square, shall have four sides inclosed, each at least six feet high, and the one in front shall open and shut as a door swinging outwards and shall extend to within two feet of the floor. Each such booth shall contain a shelf which shall be one foot wide extending across one side of the booth at a convenient height for writing, and shall be furnished with such supplies and conveniences, including shelves, and pens, ink, blotting paper and pencils, as will enable the voters to conveniently prepare their ballots for voting. Each booth shall be kept clearly lighted, while the polls are open, by artificial lights if necessary. A guard-rail shall be so constructed and placed at each polling place that only such persons as are inside such rail can approach within six feet of the ballot boxes, and of the booths. The arrangement of the polling place shall be such that the booths can only be reached by passing within the guard-rail, and that the booths, ballot-boxes, election officers, and every part of the polling places, except the inside of the booths, shall be in plain view of the election officers and of persons just outside the guard-rail.

§ 17. Payment of election expenses.—The expense of providing polling places, voting booths, supplies therefor, and other furniture of the polling place, and the compensation of the election officers in each election district, shall be a charge upon the town

or city in which such election district is situated, except that such expenses incurred for the purpose of conducting a village election, not held at the same time as a general election, shall be a charge upon the village. The expense of printing and delivering the official ballots, sample ballots, and cards of instruction, to be used at a town meeting, city or village election, not held at the same time as a general election, and of printing the lists of nominations therefor, shall be a charge upon the town, city or village in which the election is held. The expense of printing and delivering the official ballots, sample ballots and cards of instruction to be used in any county at any other election, if no town meeting, city or village election be held at the same time therewith, and of printing the lists of nominations therefor, shall be a charge upon such county. The expense of printing and delivering the official ballots, sample ballots and cards of instruction to be used in any county at any such other election, and of printing the lists of nominations therefor, if a town meeting, city or village election be held in such county at the same time therewith, shall be apportioned by the county clerk between such town, city or village, and such county, in the proportion of the number of candidates for town, city or village officers on such official ballots, respectively, to the whole number of candidates thereon, and the amount of such expenses so apportioned to each such municipality shall be a charge thereon. For the purposes of this section, the county of Kings includes only that portion of the county outside the city of Brooklyn. All expenses lawfully incurred by the board of elections of the city of Brooklyn shall be a charge on such city. The county clerk of each county, not salaried, shall be paid by such county a reasonable compensation for his services in carrying out the provisions of this chapter, to be fixed by the board of supervisors of the county. The town clerk of each town shall be paid by such town, a reasonable compensation for his services in carrying out the provisions of this chapter, to be fixed by the other members of the town board of the town. Ballot clerks and persons acting as such, and clerks of boards of registry in cities, except New York and Brooklyn, shall receive the same compensation for their attendance at an election, or meeting for registry in pursuance of law, as inspectors of election, and be paid in like manner. An inspector of election lawfully required to file any papers in a county clerk's office shall, unless he resides in a city or town in which such office is situated, be entitled to receive as compensation therefor five dollars, and four cents a mile for every mile actually and necessarily traveled between his residence and such clerk's office, in going to and returning from such office.

§ 32. The register of voters.—Subdivision 1. The inspectors of

each election district shall prepare at such meetings a list of the names and residences of persons qualified to vote in such district at such election, which, when finally completed, shall be the register of the voters of the district for such election. Such lists shall be arranged in three columns. In the first column shall be placed the surnames of such persons in the alphabetical order of the first letter thereof; in the second column the Christian names of such persons respectively; in the third column the residences of such persons respectively, by street and number, if any, and otherwise a brief description of the locality thereof. At each meeting except the last, a space shall be left after each set of surnames commencing with the same letter, sufficient for the addition thereto at subsequent meetings, of surnames commencing with the same letter. Before any such surnames added at any such subsequent meeting, there shall be written "added at second meeting," or "added at third meeting," or "added at fourth meeting," or "added at fifth meeting," as the case may be. In cities the names of such persons only as personally appear before the inspectors and are qualified voters, shall be placed on such list at a meeting for registry for a general election, or an annual city election of city officers. At the first meeting in a city for registry for a special election, the inspectors shall place upon such list the names of all persons qualified to vote at such election in such district which appear upon the register of voters for the last preceding general election in such election district, except the names of such voters as are proven to the satisfaction of the inspectors to have ceased to be voters of such district since their names were placed on such register; and shall, at the first and second meetings for such special election, place upon such list the names of all persons so qualified, who shall personally appear before the board at either such meeting; but no new names, not on such register, shall be placed on such list, except of persons who so personally appear. The inspectors shall, at their first meeting for registry for a general election and at their meeting for registry for a special election in an election district elsewhere than in a city, place upon such list the names of all persons appearing on the poll-list of the next preceding general election in such district, except the names of such voters as are proven, to the satisfaction of such inspectors, to have ceased to be voters since such general election; the names of all other persons known or proven to the satisfaction of the inspectors to be so qualified; and the names of all persons so qualified who personally appear before the inspectors and request to have their names placed thereon. At their second and final meeting for registry for a general election

the names of such persons only as personally appear and are qualified shall be placed on the list. A person is a qualified voter in any election district for the purpose of having his name placed on such list, if he is at the time qualified to vote at the election for which such registry is made, or may become so qualified on or before the day upon which such election is to be held. Any person claiming to be a person mentioned and referred to in section three of article two of the constitution shall file with the inspectors, at the time of registering, a written statement showing where he is actually domiciled, his business or occupation, his business address and to which class of persons mentioned in said section he claims to belong. Such statement shall be filed with the registry lists in the town or city clerks' office after the completion of the canvass on election day and be open for public inspection, and the substance thereof shall be entered by the inspectors in the registry lists opposite the name of the person so registering.

Subdivision 2. If, at any meeting for the registry of voters, in an election district where personal registration of all voters is required by law, any person entitled to have his name placed on the list of voters shall declare to the officers conducting such registry that, by reason of total blindness, loss of both hands, or such total inability of both hands that he can not use either hand for ordinary purposes, he will be unable to prepare his ballot, without assistance, or that by reason of disease, the nature of which he must specify, or of a crippled condition, he will be unable to enter the voting booth without assistance, it shall be the duty of the said officers to administer an oath to such person in the following language, namely: "You do solemnly swear that you will be unable to prepare your ballot (or will be unable to enter the voting booth) without assistance, because," and after the word "because," they shall insert the specific cause or reason assigned by such person for such disability; and the said officers shall make a note upon the registry list of each instance in which such oath is administered and of the cause or reason so assigned by the person taking the same for such disability so sworn to.

§ 56. Party nominations; choice of emblems for ballot.—Nominations of candidates for public office may be made by a convention or primary, or by a duly authorized committee of such convention or primary, of any political party or other nominating body which, at the last general election before the holding of such convention or primary, polled at least one per cent of the entire vote cast in the state or in the district thereof for which said convention or primary is held. Such nominations shall be known as party nominations. The certificate whereby such nomi-

nations are certified shall be known as a party certificate of nomination. Such certificate shall be in writing, and shall contain the title of the office for which each person is nominated; the name and residence of each such person, and, if in a city, the street number of the residence of each such candidate and of his place of business, if any. It shall also designate, in not more than five words, the name of the party which the convention, primary or committee making such nomination represents. It shall be signed by the presiding officer and secretary of such convention or primary, or, if made by a committee, by a majority of the members thereof, who shall add to their signatures their respective places of residence, and shall make oath before an officer qualified to take affidavits, to be used in judicial proceedings within the state, that the affiants were such officers of such convention or primary, or that they are members, and constitute a majority, of such committee, and that such certificate and the statements therein contained are true to the best of their information and belief. A certificate that such oath has been administered shall be made and signed by the officer before whom the same was taken, and attached to such certificate of nomination. When the nomination is made by a committee, the certificate of nomination shall also contain a copy of the resolution passed at the convention or primary which authorized such committee to make such nomination. A certificate of nomination, filed pursuant to this section, may upon its face appoint a committee of one or more persons for the purposes hereinafter specified. When a party nomination is made by a state convention of a candidate or candidates to be voted for by the electors of the entire state it shall be the duty of such convention to select some simple device or emblem to designate and distinguish the said political party, making such a nomination or nominations, and such device or emblem shall be shown by a representation thereof upon a certificate signed and duly executed by the presiding officer and a secretary of said convention, to be filed with the secretary of state. Upon the filing of such certificate such device or emblem, shall be the sole property of such party and shall in no case be used by any other party or independent body. When any independent body shall make a like nomination, as provided by section fifty-seven of this act, it shall be the duty of the persons who sign and execute the certificate of nomination of such candidate or candidates to likewise select some simple device or emblem to designate and distinguish the candidates of such independent body making such nomination, and such device or emblem shall likewise be shown by a representation thereof upon the certificate of nomination.

The devices or emblems so chosen, when filed as aforesaid, shall be used to designate all the candidates of the same political party or independent body. And if any independent body shall have made no nomination of candidates for offices to be filled by the voters of the entire state, but shall nominate a candidate or candidates for offices to be filled by the voters of a district thereof, it shall be the duty of the persons who shall sign and execute the certificate of nomination in like manner to select some simple device or emblem to designate and distinguish the candidates of that political party or independent body, who are named in such certificate of nomination. The device or emblem to be chosen as aforesaid may be the representation of a star, an animal, an anchor or any other appropriate symbol; but neither the coat of arms nor seal of any, nor of the United States, the national flag nor any religious emblem or symbol nor the portrait of any person shall be chosen as such distinguishing device or emblem. If the certificates of nomination of two or more different political parties or independent bodies shall designate the same, or substantially the same, device or emblem or party name, the officer with whom the certificates of nomination are filed shall decide which of said political parties or independent bodies is entitled to the use of such device or emblem or party name, being governed as far as may be, in his decision, by priority of designation in the case of the device or emblem, and by the priority of use in the case of the party name. If the other nominating party shall present no other device, or party name, he shall himself select for such other nominating body another device or party name, so that no two different parties shall be designated by the same device or party name. If there be a division within a party, and two or more factions claim the same, or substantially the same device or name, the officer aforesaid shall decide between such conflicting claims, giving preference of device and name to the convention or primary, or committee thereof, recognized by the regularly constituted party authorities; and if the other faction or factions shall present no other device or party name, the said officer shall select a different device and party name for such other faction, which shall be used upon the ballots to designate the names of its candidates. If two or more conventions are called by different authorities, each claiming to represent the same party for that purpose, the said officer shall select a suitable device and party name to distinguish the candidates of one faction from those of the others, and the ballots shall be printed accordingly. Any questions arising with reference to any device or to the political party or other name designated in any certificate of nomination filed pursuant to the provisions of this section, or of section fifty-

seven of this act, or with reference to the construction, validity or legality of any such certificate, shall be determined in the first instance by the officer with whom such certificate of nomination is filed. Such decision shall be in writing and a copy thereof shall be sent forthwith by mail by such officer to the committee, if any, named upon the face of such certificate, and also to each candidate nominated by any certificate of nomination affected by such decision. The supreme court, or any justice thereof, within the judicial district, or any county judge within his county, or any superior city court or judge thereof within such city, shall have summary jurisdiction, upon complaint of any citizen, to review the determination and acts of such officer, and to make such order in the premises as justice may require. Such a complaint shall be heard upon such notice to such person as the said court or justice or judge thereof shall direct. If any certificate of nomination of candidates to be voted for by the voters of the entire state filed with the secretary of state, pursuant to the provisions of this act, shall omit to designate a device or emblem to distinguish the candidates of the political party or other independent body making such nomination, it shall be the duty of the secretary of state to select a device or emblem for that purpose, and such device or emblem so chosen shall be used to distinguish all candidates of that same party or independent body throughout the state, whether such candidates are nominated for state or for local offices; and if any certificate of nomination of candidates to be filled by the voters of a district less than the entire state shall be filed with the secretary of state, or with any other public officer, pursuant to this statute, by a political party or independent body which has made no nomination of candidates for offices to be filled by the voters of the entire state, and such certificate of nomination shall omit to designate a device or emblem to distinguish the candidates nominated thereby, it shall be the duty of the secretary of state or other public officer with whom such certificate of nomination is filed, to select a device or emblem to represent the candidates named in that particular certificate of nomination.

§ 57. Independent nominations of candidates.—Nominations made as provided by this section shall be known as independent nominations, and the certificate whereby such nominations are made shall be known as an independent certificate of nomination. Three thousand or more voters of the state may nominate candidates for office to be filled by voters of the entire state; five hundred or more voters of a county or city or of a portion of the state greater than a county, except an assembly district composed of more than one county, may nominate candidates for offices to be

filled by the voters of such county, city or portion of the state; two hundred and fifty or more voters of an assembly or school commissioner districts may nominate candidates for offices to be filled by the voters of such district; twenty-five or more voters of a ward, town or village may nominate candidates for offices to be filled by the voters of such town, ward or village. If the nomination is for an office to be filled by the voters of the city and county of New York, the county of Kings, or the city of Brooklyn, not less than six hundred voters shall make such nomination. If the nomination is for an office to be filled wholly or in part by the voters of only a portion of either the city and county of New York, the county of Kings, or the city of Brooklyn, not less than two hundred and fifty voters shall make such nomination. The nominations shall be made by a certificate subscribed by such voters, each of whom shall add to his signature his place of residence, and make oath that he is such voter and has truly stated his residence. The making of the said oath shall be proved by the certificate of the notary or other officer before whom the said oath is taken, and it shall be unnecessary for a voter who has subscribed a certificate of nomination as herein provided, to sign any affidavit as to the matters to which he has made oath as aforesaid. The certificate shall contain the titles of the offices to be filled, the name and residence of each candidate nominated, and if in a city, the street number of such residence and of his place of business, if any; and shall designate, in not more than five words, the political or other name which the signers shall select, but the name of any organized political party shall not be used without using in connection therewith some other word or words to distinguish such name from such party name. All independent certificates of nomination shall upon their face designate and select a device or emblem to represent and distinguish the candidate of the independent body making such nominations as provided by the fifty-sixth section of this act. The certificate may designate upon its face one or more persons as a committee to represent the signers thereof for the purposes specified by this act. The signatures to the certificate of nomination need not all be appended to one paper. No person shall join in nominating more candidates for any one office than there are persons to be elected thereto, and no certificate shall contain the names of more candidates for any office than there are persons to be elected to such office.

§ 58. Places of filing certificates of nomination.—Certificates of nomination of candidates for offices to be filled by the voters of the entire state, or of any division or district greater than a county, shall be filed with the secretary of state, except that each certificate of nomination of a candidate for member of assembly

for the assembly district comprising the counties of Fulton and Hamilton, shall be filed in the office of the county clerk of Fulton county, and a copy thereof certified by the county clerk of Fulton county, shall be filed in the office of the county clerk of Hamilton county. Certificates of nomination of candidates for offices to be filled by only the voters or a portion of the voters of the city of New York or Brooklyn, shall be filed with the board of police commissioners of the city of New York or the board of elections of the city of Brooklyn, respectively. Certificates of nomination of candidates for offices of any other city, or for offices of a village or town, to be elected at a different time from a general election, shall be filed with the clerk of such city, village or town respectively. All other certificates of nomination shall be filed with the clerk of the county in which the candidates so nominated are to be voted for. All certificates and corrected certificates of nomination, all objections to such certificates and all declinations of nominations are hereby declared to be public records; and it shall be the duty of every officer or board to exhibit, without delay, every such paper or papers to any person who shall request to see the same. It shall also be the duty of each such officer or board to keep a book, which shall be constantly open to public inspection, in which shall be correctly recorded the names of all candidates nominated by certificates filed in the office of such officer or board, the title of the office for which any such nomination is made, the political or other name of the political party or other body making such nomination; and in which shall also be stated all declinations of nominations or objections to nominations and the time of filing of all of the said papers.

§ 59. The times of filing certificates of nomination.—The different certificates of nominations shall be filed within the following periods before the election for which the nominations are made, to wit: Those required to be filed with the secretary of state, if party nominations, at least twenty-seven and not more than forty days; if independent nominations, at least twenty and not more than forty days; those required to be filed with a county clerk or the board of police commissioners of the city of New York, or the board of elections of the city of Brooklyn, if party nominations, at least twenty-two and not more than thirty days; if independent nominations, at least fifteen and not more than thirty days; those required to be filed with the city clerk of any other city, if party nominations, at least fifteen and not more than twenty days; if independent nominations, at least thirteen and not more than twenty days; those required to be filed with a town or village clerk, if party nominations, at least twelve and not more

than twenty days; if independent nominations, at least five and not more than twenty days.

§ 60. Certification of nominations by the secretary of state.—The secretary of state shall, immediately upon the expiration of the time within which certificates of nomination may be filed with him, certify to the county clerk of each county except New York, and to the board of police commissioners in the city of New York and to the board of elections of the city of Brooklyn, the name, residence and place of business, if any, of each candidate nominated in any certificate so filed for whom the voters of any such county or city, respectively, may vote, the title of the office for which he is nominated, the party or other political name specified in such certificate, and the emblem or device chosen to represent and distinguish the candidates of the political party or independent body making such nominations.

§ 61. Publication of nominations.—At least six days before an election to fill any public office, the county clerk of each county, except New York, the board of police commissioners of the city of New York, and the board of elections of the city of Brooklyn, shall cause to be published in not less than two nor more than four newspapers within such county or city respectively, a list of all nominations of candidates for offices to be filled at such election, certified to such clerk or board by the secretary of state, or filed in the office of such clerk or board. Such publication shall contain the name and residence, and if in a city, the street number of the residence, and place of business, if any, and the party or other designation of each candidate, and a fac simile of the emblems or devices selected and designated as prescribed by the fifty-sixth and fifty-seventh sections of this act, to represent and distinguish the candidates of the several political parties or other nominating bodies. The city clerk of each city, except New York and Brooklyn, shall at least six days before an election of city officers thereof, held at a different time from a general election, cause like publication to be made as to candidates for offices to be filled at such city election, in at least two newspapers published in such city. One of such publications shall be made in a newspaper which advocates the principles of the political party that at the last preceding election for state officers cast the largest number of votes in the state; and another of such publications shall be made in a newspaper which advocates the principles of the political party that at the last preceding election for state officers cast the next largest number of votes in the state for such officers. The clerk or board, in selecting the respective papers for such publication, shall select those which, according to the best information he can obtain, have the largest circulation

within such county or city. In making additional publications the clerk or board shall keep in view the object of giving information, so far as possible, to the voters of all political parties; and in no event shall additional publications be made in two newspapers representing the same political party. The clerk or board shall make such publication twice in each newspaper so selected in a county or city in which daily newspapers are published; but if there be no daily newspaper published within the county, one publication only shall be made in each of such newspapers. Should the county clerk find it impracticable to make the publication six days before election day, in counties where no daily newspaper is printed, he shall make the same at the earliest possible day thereafter, and before the election.

§ 63. Lists for town clerks and aldermen.—The county clerk of each county, except New York, shall, at least six days before election day, send to the town clerk of each town, and to an alderman of each ward in any city in the county, except Brooklyn, at least five and not more than ten printed lists for each election district in such town or ward, containing the name and residence, and if in a city, the street number of residence, and place of business, if any, and party or other designation, and also a fac simile of the emblem or device of each candidate nominated to be voted for by the voters of the respective towns and wards. Such lists shall, at least three days before the day of election, be conspicuously posted by such town clerk or alderman in one or more public places in each election district of each town or ward, one of which shall be at each polling place.

§ 64. Declination of nomination.—The name of a person nominated for a town or village office shall not be printed on the official ballots, if he shall before the ballots are printed give written notice that he declines such nomination to the town or village clerk. The name of a person nominated for any other office shall not be printed on the official ballots if he notifies the officer with whom the original certificate of his nomination is filed, in a writing signed by him and duly acknowledged, that he declines the nomination. If a party nomination, such notification shall be given at least fourteen days, and if an independent nomination at least twelve days before the election. The officer to whom such notification is given shall forthwith inform, by mail or otherwise, the committee, if any, appointed on the face of such certificate as permitted by sections fifty-six and fifty-seven of this act, and otherwise one or more persons whose names are attached to such certificate, that the nomination conferred has been declined, and such officer shall also give immediate notice by mail or otherwise that such nomination has been declined to the several county clerks or other officers

authorized by law to prepare official ballots for election districts affected by such declination.

§ 65. Objections to certificates of nomination.—A written objection to any certificate of nomination may be filed in the office in which the certificate is filed within three days after the filing of the certificate. If such objection be filed notice thereof shall be given forthwith by mail to the committee, if any, appointed on the face of such certificate for the purposes specified in section sixty-six of this act, and also to each candidate placed in nomination by such certificate. The questions raised by such written objection shall be heard and determined as prescribed in section fifty-six of this act.

§ 66. Filling vacancies in nominations and correction of certificates.—If a nomination is duly declined, or a candidate regularly nominated dies before election day, or is found to be disqualified to hold the office for which he is nominated, or if any certificate of nomination is found to be defective but not wholly void, the committee appointed on the face of such certificate of nomination, as permitted by sections fifty-six and fifty-seven of this act, may make a new nomination to fill the vacancy so created, or may supply said defect, as the case may be, by making and filing with the proper officer a certificate setting forth the cause of the vacancy or the nature of the defect, the name of the new candidate, the title of the office for which he is nominated, the name of the original candidate, the name of the political party or other nominating body which was inscribed on the original certificate and such further information as is required to be given by an original certificate of nomination; except that where a certificate is filed pursuant to this section to fill a vacancy it shall not be lawful to select a new emblem or device, but the emblem or device chosen to represent and distinguish the candidate nominated by the original certificate shall be used to represent and distinguish the candidate nominated as provided by this section. The certificate so made shall be subscribed and acknowledged by a majority of the members of the committee, and the members of the committee subscribing the same shall make oath before the officer or officers before whom they severally acknowledged the execution of the said certificate, that the matters therein stated are true to the best of their information and belief. The said certificate shall be filed in the office in which the original certificate was filed, at least four days before the election if filed in the office of a town or village clerk, and at least ten days before the election if filed elsewhere, and upon being so filed shall have the same force and effect as an original certificate of nomination. When such certificate is filed with the secretary of state he shall, in certifying the nomination to the various county

clerks and other officers, insert the name of the person who has been nominated as prescribed by this section instead of that of the candidate nominated by the original certificate, or, if he has already sent forward his certificate, he shall forthwith certify to the proper clerks and other officers the name of the person nominated as prescribed by this section and such other facts as are required to be stated in a certificate filed pursuant to this section.

§ 81. Form of official ballots for candidates for office.— Except in the cases specified in section eighty-two of this act, but one form of ballot for candidates for public office shall be provided at any polling place, which shall contain the printed names of all the candidates nominated for all offices to be voted for by the electors at that polling place, and shall contain no other names. At the upper left-hand corner of each ballot shall be a stub, four inches in width and two inches in height, which shall project above the top of the ballot proper and shall be separated therefrom by a perforated line, so that it may readily be detached from the ballot. The stubs of the official ballots shall be numbered consecutively by printed numbers on the backs thereof, and nothing else shall be printed on the back of the stubs. On the face of each stub shall be printed, in uniform type, the words "official ballot for," and after the word "for" shall follow the designation of the polling place for which the ballot is prepared. On the back of each official ballot, below the stub, shall be printed in great primer Roman condensed capitals, the indorsement "official ballot for," and after the word "for" shall follow the date of the election and a fac simile of the signature of the officer or of the president or clerk of the board, providing the ballots, except that when elections for commissioner of excise of towns, or for other town offices, are not held at the same time with a general election, the ballots shall be indorsed "town" only. At the top of the ballot below the stub shall be printed the following words, namely: "Instructions to voters. To vote a straight ticket, make a cross (X) mark in the circle at the top of the party column containing the names of the candidates of your choice. To vote a split ticket, either (1) make a cross mark on the right of the name of each candidate of your choice where the same is printed or written by you upon the ballot, or (2) make a cross mark in the circle at the top of the party column which contains the largest number of the candidates for whom you wish to vote and make a cross mark on the right of the name of each candidate in any other party column for whom you wish to vote." The ballot below the stub, and below the printed directions, if any, shall be divided by printed parallel lines into columns

hereinafter referred to as "party columns." The number of such columns shall exceed by one the number of sets of candidates to be voted for at the polling place for which the ballot is provided, nominated by different certificates of nomination. Each of the said party columns shall be two and one-half inches in width. At the top of each of the said columns shall be printed the name and device of the political party or other nominating body, the names of whose candidates are printed in such column. Immediately below the device so printed in each party columns shall be a circle, one-half of an inch in diameter, in which the voter may make a (X) mark if he desires to vote for all of the candidates whose names are printed or written by him in such party column as hereinafter provided. Within each party column shall be printed the title of each office for which the electors at that polling place may vote at that election, and below the title of each office, respectively, shall be printed the name or names of the candidates therefor nominated by the certificate of nomination of the political party or other nominating body whose name is printed at the top of such party column. In the column on the right hand side of each ballot shall be printed the titles of all of the offices for which the electors at the polling place for which the ballot is provided may lawfully vote, and underneath the title of each office shall be left a blank space in which the voter may write the names of any candidate or candidates therefor whose names are not printed upon the ballot as candidates for that office. On the right hand side of the name of each candidate printed upon the ballot shall be left a blank space, which may be in the form of a square, inclosed in lightly printed or dotted lines, in which the voter may make a cross (X) mark if he desires to vote for that particular candidate as hereinafter provided. The names of candidates for the office of elector of president and vice-president of the United States, hereinafter referred to as presidential electors, may be printed in double columns within the party columns, but a similar blank space shall be provided opposite the printed name of each candidate for that office within which the voter may make a similar cross mark. In the party column nearest to the left side of the official ballot shall be printed the names of the candidates of the political party or other nominating body which at the last preceding general election for state officers polled the largest number of votes for such officers; and in the party column next to the right thereof shall be printed the names of the candidates of the political party or other nominating body which at the same election polled the next largest number of votes for such officers. Each official ballot shall be of such form and so printed that when

the ballot is folded for voting the whole of the indorsement and the printed number on the back of the stub shall be visible, and so that the stub can be removed without unfolding the ballot or exposing or removing any portion of the face thereof below the perforated line. All of the official ballots of the same sort prepared by any officer or board for the same polling places shall be of precisely the same size, arrangement, quality and tint of paper and kind of type, and shall be printed with black ink of the same tint, so that when the stubs numbered as aforesaid shall be detached therefrom it shall be impossible to distinguish any one of the ballots from the other ballots of the same sort; and the paper on which such official ballots are printed shall be of a thickness and texture sufficient to prevent the ink striking through in such way as to show upon the backs thereof any of their contents or aid in the identification of a candidate or candidates voted for by any voter. The party or other names at the head of the several party columns shall all be printed in type of the same size and kind; the emblems or devices printed at the head of the several party columns shall be of a reasonable, and as nearly as may be, of a uniform size; and the names of all candidates for the same office shall be printed in type of the same size and character. If two or more officers are to be elected to the same office for different terms, the term for which each is nominated shall be printed upon the ballot as a part of the title of the office. If at a general election in any congressional district one congressman is to be elected for a full term and another to fill a vacancy the ballots containing the names of the candidates shall as a part of the title of the office designate the term or vacancy for, or to fill which, the candidates are severally nominated. At the foot of each ballot below the party columns, and separated therefrom by a heavy printed line, distant two inches from the bottom of the ballot, and parallel therewith, shall be left a margin in which nothing shall be printed, within which a voter may place a paster or pasters in the cases hereinafter provided for.

§ 82. Form of official ballots in cities containing more than one hundred and fifty thousand inhabitants.—The provisions of this section shall relate only to cities having by the last preceding national or state census more than one hundred and fifty thousand inhabitants. Within the meaning of this section a local office is an office, (other than that of member of congress, state senator or member of assembly) to be filled by the electors of a district wholly within such a city, or partly within such a city and partly without, but smaller than the state. All other offices are herein referred to as state offices. When state and local offices,

as in this section defined, are to be filled at the same election, it shall be the duty of the officer or board charged by law with the duty of providing ballots to be used at such election within such city, to provide two forms of official ballots at each polling place within such city. Upon one of the said ballots, hereinafter known as the "general ballot," shall be printed the names of all persons duly nominated for state offices, as in this section defined, and no other names shall be printed thereon. Upon the other of said ballots hereinafter referred to as the "local ballot," shall be printed the names of all candidates duly nominated for local offices, as in this section defined, and no other names shall be printed thereon. But the ballots provided at any polling place shall contain only the names of the duly nominated candidates for offices for which the electors may lawfully vote at that place. The general and local ballots to be provided as required by this section shall conform, in all respects, with the provisions of the last preceding section of this act, except that, at any election when both general and local ballots are provided, there shall be printed on the back of each general ballot below the stub, in great primer Roman condensed capitals, the indorsement "general ballot for," and after the word "for," shall follow the date and the fac simile a fac simile of the signature of the officer, or of the president or clerk of the board, providing the ballots; and on the back of each local ballot shall be similarly printed the words "local ballot for," and after the word "for," shall follow the date and the fac simile signature as in the case of the general ballots. The stubs of the general and local ballots shall be so numbered that the numbers on the stubs of the local ballots shall correspond, ballot for ballot, with the numbers on the stubs of the general ballots. When general and local ballots are both to be voted, two ballot-boxes shall be furnished for each polling place. One of such ballot-boxes shall be used for the reception of the general ballots lawfully voted, and shall be conspicuously marked "box for general ballots;" the other shall be used for the reception of local ballots lawfully voted, and shall be marked "box for local ballots."

§ 83. Form of ballots for constitutional amendment or other question.—Whenever the adoption of a constitutional amendment or any other proposition or question is to be submitted to the vote of the electors of the state, or of any district thereof, a separate ballot shall be provided by the same officers who are charged by law with the duty of providing the official ballots for candidates for public office. Such ballots shall comply with the requirements for official ballots for candidates for public office in so far as such requirements are applicable thereto. Under the perforated line shall be clearly printed the question of the adoption of the constitutional amendment or other proposition

or question upon which the electors within the district for which such ballot is provided may lawfully vote. If there be more than one constitutional amendment or proposition or question to be submitted to the voters of that district, the different amendments or propositions or questions shall be separately numbered and printed. Opposite each such amendment, question or proposition so submitted shall be printed two squares, inclosed in dotted lines, one above the other. Preceding the upper one of such squares shall be printed the word "Yes," and preceding the lower one of said squares shall be printed the word "No." At the top of each such ballot, immediately below the perforated line, shall be printed the following words, inclosed in brackets: [Notice to voters. For an affirmative vote upon any question submitted upon this ballot, make a cross (x) mark in the dotted square after the word "Yes." For a negative vote, make a similar mark in the square following the word "No."] All such ballots for the same polling place shall be of the same color and size and similarly printed, so that, after the removal of the stub, which shall be numbered as in the case of ballots for candidates for public office, it shall be impossible to identify or distinguish any one of such ballots from the others. On the back of each such ballot, below the stub, shall be printed appropriate words showing that such ballot relates to a constitutional or other question to be submitted to the electors, so as to distinguish the said ballots from the official ballot for candidates for office; and such ballots shall be further authenticated by the fac simile of the signature of the officer, or of the president or of the clerk of the board, furnishing the same, printed as a part of such indorsement on the back thereof.

§ 84. Sample ballots and instruction cards.—Sample ballots, equal in number to the number of official ballots provided therefor, shall also be provided for every polling place for which official ballots are required to be provided. Such sample ballots shall be printed on paper of a different color from the official ballots and without numbers on the stubs, but shall, in all other respects, be precisely similar to the official ballots to be voted at that polling place. One of such sample ballots shall, at any time upon the day of election, be furnished upon application to any voter registered, or entitled to vote, at that place, and may be taken by him away from such polling place before receiving his official ballot or ballots. Twelve instruction cards printed in English, and twelve printed in each of such other languages as the officer or officers charged with providing them shall deem necessary, shall also be provided for each such polling place, containing, in clear, large type, full

instructions for the guidance of voters in obtaining ballots for voting, in preparing their ballots for deposit in the boxes, in returning their ballots to the ballot clerks, and in obtaining new ballots in place of those returned, and a copy of each of the sections of the penal code relating to crimes against the elective franchise.

§ 86. Designation of officers to provide ballots, sample ballots and instruction cards.—The county clerk of each county except New York shall provide the requisite number of printed official ballots, sample ballots and the instruction card, for each polling place in the county for each election to be held thereat, except town meetings and city and village elections, and elections of school officers not held at the same time as a general election, and except that the county clerk of the county of Kings shall provide the same only for such election districts of such county as are outside of the city of Brooklyn. The board of police commissioners of the city of New York, and the board of elections in the city of Brooklyn, shall provide such official ballots, sample ballots and the cards of instruction for each polling place in each of said cities respectively, for each election to be held thereat. If a city or village election or a town meeting for the election of public officers shall be held upon a different day from a general election, the clerk of such city, village or town, respectively, shall provide such official ballots, sample ballots and the cards of instruction for each polling place of such election or town meeting. Each officer or board charged with providing official ballots for any polling place, shall have the official ballots and sample ballots provided and in the possession of such officer, board or clerk thereof, and open to public inspection as follows: The official ballots, four days before the election and the sample ballots five days before the election for which they are prepared, unless prepared for a village election or town meeting held at a different time from the general election, in which cases the official ballots shall be so printed and in possession at least one day and the sample ballots at least two days before such election or town meeting. During the times within which the same are open for inspection as aforesaid, it shall be the duty of the officer or board charged by law with the duty of preparing the same, to deliver a sample ballot, of the kind to be voted in his district, to each qualified voter who shall apply therefor, so that each voter who may desire the same may obtain a sample ballot, similar, except as regards color and the number on the stub, to the official ballot to be voted at the polling place at which he is entitled to vote.

§ 87. Distribution of ballots, sample ballots and instruction cards to polling places.—The county clerk of each

county charged with providing the same, shall on the Saturday before the election at which they may be voted, deliver to the clerk of each town and to the city clerk of each city in such county the official ballots, sample ballots and instruction cards required to be provided for each polling place in such town or city election. All official ballots, sample ballots and instruction cards for each election district shall be so delivered in separate sealed packages. The official ballots shall be unfolded and arranged in the order of the printed numbers on the stubs thereof. Each such package shall be clearly marked on the outside thereof with the number and kind of ballots, sample ballots or instruction cards inclosed therein respectively, and the designation of the election district for which it is provided. Receipts for the packages so delivered, specifying the number and kind of packages, shall be given by each town and city clerk receiving them, and filed with such county clerk, who shall keep a record of the time and manner of the delivery thereof. Each town and city clerk receiving such packages shall cause all such packages so received and marked for any election district to be delivered unopened and with the seals thereof unbroken to the inspectors of election of such election district, at the opening of the polls of such election therein, and cause a receipt to be then taken from such inspectors for such packages, specifying the number and kind thereof, which receipt shall be filed in the office of such clerk. Town, city and village clerks required to provide the same for town meetings, city and village elections held at different times from a general election, and the boards of the cities of New York and Brooklyn required to provide the same for elections held therein, respectively, shall in like manner, deliver to the inspectors or presiding officers of the election at each polling place at which such meetings and elections are held, respectively, the official ballots, sample ballots and instruction cards required to be provided therefor, respectively, in like sealed packages marked on the outside in like manner, and shall take and file receipts therefor in like manner, in their respective offices.

§ 100. Opening the polls.—The inspectors of election, poll clerks and ballot clerks of each election district shall meet at the time duly appointed for opening the polls of each election for which official ballots are required to be provided, at the polling place therein, within the space inclosed by the guard-rail, for the purpose of conducting such election. Within the meaning of this article, the territory in which the voters entitled to vote at any such polling place reside, shall be deemed an election district; the presiding officers of such election at such polling place shall be deemed inspectors of election of such district, and any inspector

or other officer duly designated to distribute official ballots to voters thereof shall be deemed a ballot clerk thereof. The inspectors of election shall then and there have the ballot-boxes required by law for the reception of ballots to be voted thereat; the sealed packages of official ballots, sample ballots and instruction cards required to be delivered to them for such election; and if it be an election at which registered voters only can vote, the register of such voters, and the certified copies thereof, required to be made and kept therefor. Each such poll clerk shall then and there have the book required for keeping the poll-list of such election. The inspectors shall thereupon open the sealed packages of instruction cards, and cause them to be posted conspicuously, at least one, and if printed in different languages, at least one of each language, in each of the voting booths of such polling place, and at least three of each language in which they are printed in or about the polling place; shall open the sealed packages of official ballots and sample ballots and place them in charge of the ballot clerks. They shall also, before any ballots are cast, unlock the ballot boxes, see that they are empty, allow the watchers present to examine them and lock them up again while empty, in such manner that the watchers present and persons just outside the guard-rail can see that such boxes are empty when they are relocked. The instruction cards, so posted, shall not be taken down, torn or defaced during such election. The ballot clerks, with the official and sample ballots, the inspectors, with such boxes and registry lists, and the poll clerks, with their poll-list books, shall be stationed as near each other as practicable within such inclosed space. One of the inspectors shall then make proclamation that the polls of the election are opened, and of the time o'clock in the afternoon when the polls will be closed.

§ 101. Persons inside the guard-rail; general regulations.—From the time of such meeting for the purpose of conducting such election, until the announcement of the result of the canvass of the votes cast thereat and the signing of the certificate thereof by the inspectors, such boxes and all the official ballots shall be kept within the guard-rail. No person shall be admitted within the guard-rail during such period except such inspectors, poll clerks, ballot clerks, duly authorized watchers, persons admitted by the inspectors to preserve order or enforce the law, persons duly admitted for the purpose of voting, persons duly admitted to assist disabled voters, and in the city of Brooklyn the members of the board of canvassers, and in the city of New York persons lawfully designated by candidates to be present at the canvass of the votes. After such boxes are so relocked while

empty at the opening of the polls, they shall not be unlocked or opened until the closing of the polls of such election, and, except as authorized by law, no ballots or other matter shall be placed in them after they are so relocked and before the announcement of the result of such canvass and the signing of such certificate. No person shall deliver to any voter within such guard-rail a paster or any other ballot than such as a voter is legally entitled to vote.

§ 103. Delivery of ballots to voters.—While the polls of such election, are open, the voters entitled to vote and who have not previously voted thereat, may enter within the guard-rail of the polling place of such election, for the purpose of voting, in such order that there shall not at any time be within such guard-rail more than twice as many voters as there are voting booths thereat, besides the persons lawfully within such guard-rail for other purposes than voting. Upon entering within the guard-rail, for such purpose, the voter shall forthwith proceed to the ballot clerks and announce his name, and, if in a city, his residence by street and number, or if it have no street number a brief description of the locality thereof, and if required by the inspectors thereat, shall state whether he is over or under twenty-one years of age. If such voter is entitled to vote thereat, and is not challenged, or if challenged and the challenge be decided in his favor, the ballot clerks thereat shall deliver, unfolded, to such voter, the official ballot or ballots. The ballot clerks may instruct the voter how to fold his ballot by folding the sample ballot in his presence, or otherwise than by folding an official ballot, and they may also give the voter verbal instructions as to the method of preparing his ballot. Any voter may take with him to the booth a sample ballot, or any other paper or memorandum to aid him in the preparation of his official ballot. Immediately after receiving the official ballots the voter shall enter one of the voting booths, and shall prepare his ballot for voting as hereinafter provided. No person shall occupy a voting booth for more than eight minutes while all of the other booths are occupied.

§ 104. Aid for physically disabled voters.—Any physically disabled voter who shall, at the time of registration, have made oath of physical disability as prescribed by the second subdivision of section thirty-two of this act; or any voter who, being duly registered, in an election district where personal registration of all voters is required by law, shall state under oath to the inspectors of election on the day of election that by reason of some accident, the time and place of which he must specify, or of disease, the nature of which he must also specify, he has, since

the last day of registration, lost the use of both hands, or become totally blind, or so crippled that he can not enter the voting booth and prepare his ballot without aid; or any voter in an election district where personal registration of all voters is not required by law, who is physically disabled in one or more ways described in the second subdivision of section thirty-two of this act, and who shall state under oath to the inspectors that by reason of such physical disability, the nature of which he shall specify, he will be unable to prepare his ballot, or will be unable to enter the voting booth without assistance, shall be entitled to the assistance of some person to be chosen by him, to aid him in entering the voting booth and in preparing his ballot, and such person shall be entitled to pass within the guard-rail and receive the official ballot and enter the voting booth with such physically disabled voter, and there assist him in preparing his ballot. But no person shall enter a voting booth with more than one physically disabled voter on any one election day. The person selected to assist a voter in the contingency provided for by this section shall not in any manner request or seek to persuade or induce such voter to vote for any particular candidate, and shall not directly or indirectly reveal to any other person the name of any candidate voted for, or anything occurring within the voting booth. No voter shall ask for or be permitted to receive the assistance of any person within the polling place in the preparation of his ballot, except as herein expressly permitted, and no voter shall divulge to any one within the polling place the name of any candidate for whom he intends to vote, or for whom he has voted, except in the case where such voter shall receive assistance as by this section provided, and then only to the person by whom he is so assisted. No election officer shall be chosen to aid a physically disabled voter, as herein provided and it shall not be lawful for any such officer to enter the voting booth with such a voter, or to assist him in the preparation of his ballot. The poll clerks shall make a memorandum on the poll-list of every instance where an oath was administered to a voter as provided by this section, stating briefly what facts were sworn to; and in all cases where any voter claims assistance as herein provided, they shall make a memorandum of the name of the voter and of the name and residence of the person chosen to assist him as hereinbefore provided.

§ 105. Preparation of ballots for voting and manner of voting.—When a voter shall have received the official ballot or ballots and shall have retired to the voting booth, he shall, within such voting booth and not elsewhere, prepare his ballot or ballots for voting. To designate his choice of candidates upon the ballot, the voter may either (I) make a cross (x) mark, in black ink or

with a black pencil, in the space provided for that purpose on the right-hand side of the name of each candidate where printed or written by such voter, upon the ballot, in which case the ballot will be counted as a vote for the printed or written name of each candidate so marked by the voter; or (2) he may make a similar mark within the printed circle below the party or other name and device at the head of any party column, in which case the ballot shall be counted as a vote for each candidate whose name is printed or written by the voter within such party column and not erased by the voter; provided, however, that if, in addition to making such a mark at the head of a party column, the voter shall also make a mark opposite the individual name or names of any candidate or candidates when printed or written by him, in any other party column, the ballot shall be counted as a vote for the candidate or candidates whose individual names in such columns are so marked, and shall not be counted as a vote for the candidate or candidates for the same office or offices whose names are printed in the party column marked as aforesaid. Any voter may use one or more pasters, each of which shall contain the title of a single office to be filled and the name of one person whose name is not already printed upon the official ballot as a candidate for such office for whom the voter may desire to vote; except that when presidential electors are to be voted for, such pasters may contain the names of as many candidates for such office as the voter may lawfully vote for at such election. No single paster shall contain the name of more than one candidate except as above provided. Such paster or pasters shall be pasted upon the blank margin at the bottom of the ballot and not elsewhere, in such manner that no one of them shall project beyond the edge of the ballot; and the ballot shall be counted as a vote for the person whose name appears upon any such paster for the office whose title appears thereon. If upon any paster attached to an official ballot, shall appear the name of a person whose name is printed on such official ballot for the same office as that whose title appears on such paster; or if the paster so attached shall contain the title of some office for which no person is to be elected at that election from that polling place; or if a paster so attached shall not contain both the title of the office to be filled at that election by the voters of that polling place and of a candidate therefor; or if upon any one paster so attached shall be written or printed anything in addition to the title of one such office and the name of a single candidate therefor except as above provided; or if a paster so attached shall be marked in any way except as above pro-

vided, or shall in any way be disfigured; or if a paster shall be attached to an official ballot in any place except as above provided, then and in any one of the contingencies so enumerated, the said paster shall be deemed to have been attached to the official ballot for the purpose of identification thereof, and such official ballot shall be wholly void and shall not be counted. It shall not be lawful to make any mark upon the official ballot other than the cross (x) mark in black ink or with a black pencil, as hereinbefore provided, or to mark, deface or tear a ballot, in any manner, for the purpose of identifying the same; or to erase any printed device, figure or word therefrom other than the printed name of a candidate, or to write anything thereon other than the name of a candidate; and any ballot from which there shall have been erased any device, figure or word, other than the printed name of a candidate, or upon which there shall be written any word or words other than the name of a candidate or the title of an office, when written upon any paster, shall be wholly void and shall not be counted. No voter shall vote for more candidates for any given office than there are persons to be elected thereto at that election; and if, upon any ballot, it shall appear that the voter has sought to vote for more candidates for any given office than there were persons to be elected thereto, or if it shall be impossible to determine for what candidates for any given office the voter intended to vote, such ballot shall, as to that office, be void, and shall not be counted as a vote for any candidate therefor. At any election when an additional official ballot is provided, as hereinbefore prescribed, for a vote upon a constitutional amendment or other proposition or question submitted to the people, the voter shall indicate his vote upon any such amendment, proposition or question by making a cross mark at the right-hand side of the affirmative or negative answer thereto printed upon the ballot as hereinbefore provided. After the voter has prepared his ballot for voting, and before leaving the booth, he shall fold it first crosswise, by bringing the bottom up to the perforated line, and then in the middle lengthwise, and then again in the middle lengthwise in such manner that the face of the ballot shall be entirely concealed, and the printed number on the stub and the whole indorsement on the back of the ballot shall be visible, and so that the stub can be removed without removing any other part of the ballot and without exposing any part of the face of the ballot below the stub. If the official ballot, or any one of the official ballots, if there be more than one, shall be spoiled before it is so prepared, the voter may, upon returning to the ballot clerks such ballot, or, if there be more than one ballot, then all ballots bearing the same number as the one so spoiled, obtain from such

ballot clerks another official ballot, or set of official ballots; but not more than four official ballots, or sets of official ballots, shall be delivered to any voter. When the ballot or ballots, a voter proposes to vote, shall be prepared and properly folded, he shall leave the voting booth with the ballot or ballots so folded, and shall proceed at once to the inspector in charge of the ballot-box, and hand to such inspector the ballot or ballots he intends to vote. Such inspector shall announce the name of the voter and the printed number on the stub of the official ballot or ballots in the voter's possession. If such voter be entitled then and there to vote, and he shall not be challenged, or, if challenged, and the challenge be determined in his favor, and if his ballot is properly folded and has no mark or tear visible on the outside thereof, except the printed number on the stub and the printed indorsement on the back, and if such printed number is the same as that entered on the poll-list as the number on the stub of the official ballot or sets of ballots last delivered to him by the ballot clerks, such inspector shall receive such ballot which the voter intends to vote, and after removing the stub therefrom, in plain view of the voter and without removing any other part of the ballot, and without unfolding the ballot or in any way exposing any part of the face thereof below the stub, shall deposit it in the proper ballot-box for the reception of voted ballots. The voter shall thereupon pass outside the guard-rail, unless he be one of the persons authorized to remain within the guard-rail for other purposes than voting. If the voter presents a ballot improperly folded to such inspector, he may be further instructed as to the manner of properly folding his ballot, other wise than by folding or unfolding the official ballot, and may return again, not exceeding four times in all, to the voting booth to properly prepare his ballots. No official ballot however folded shall be unfolded outside the voting booth. No person to whom any official ballots shall be delivered shall leave the space within the guard-rail until he shall deliver back all such ballots either to the inspectors, or to the ballot clerks. When a person shall have received an official ballot from the ballot clerks, as hereinbefore provided, he shall be deemed to have commenced the act of voting, and if, after receiving such official ballot, he shall leave the space inclosed by the guard-rail before the deposit of his ballot in the ballot-box as hereinafter provided, he shall not be entitled to pass again within the guard-rail for the purposes of voting or to receive any further ballots. No ballot other than an official ballot shall be received at any election or deposited in the ballot-box, except in the cases specified in sections eighty-nine and one hundred and one of this act, and any unofficial ballot which shall be received or deposited in the ballot-box, except in the contin-

gencies mentioned in the said sections, shall be absolutely void and shall not be counted.

§ 106. General duties of ballot clerks.— In addition to the duties hereinbefore enjoined upon them, the ballot clerks shall deliver official ballots to the voters in such order that the numerical order of the numbers printed on the stubs of the ballots so delivered, shall be the same as the order of the successive deliveries thereof to the voters, the ballot numbered one on the stubs being first delivered and so on. If, in addition to the official ballots containing the printed names of candidates for public office, there shall be a second official ballot containing a proposed constitutional amendment or other proposition or question, or if the election is one at which both general and local ballots are to be voted as provided in section eighty-two of this act, the ballots shall be delivered to the voters in such order that the numbers upon the stubs of all ballots delivered to the same voter at the same time shall correspond. If, in a case where more than one ballot is to be voted, the voter shall spoil one ballot of either sort, and shall be entitled to receive a new ballot under the provisions of this act, he shall return both the spoiled ballot and the other ballots bearing the same numbers to the ballot clerks before new ballots are furnished to him. They shall upon the delivery of the official ballots to any voter as hereinbefore provided, announce the voter's name, and if in a city the voter's residence by street number, or, if it have no street number, by a brief description of the locality thereof, and the number printed upon the stub of the voter's ballot or ballots, and they shall announce in a loud voice the name of the person chosen by any voter to assist him in preparing the official ballot or ballots as hereinbefore provided. Upon the return to them by any voter of a ballot or of a set of ballots, if more than one official ballot is to be voted, they shall announce the name of the voter returning them, and the printed number on the stubs of the ballots so returned. They shall cancel and carefully preserve all such ballots returned to them by voters, and shall not again deliver any such returned ballots to a voter. They shall at any time upon election day deliver a sample ballot to any person entitled to vote at that polling place who shall apply therefor. They shall carefully preserve all detached stubs delivered to them by the inspectors. They shall, immediately upon the closing of the polls of each election, prepare and sign a written statement showing the number of ballots, or, if there be more than one ballot, the number of sets of ballots delivered by them to the voters, the number of such sets returned to them, the number of such sets not delivered by them to the voters, the number of sets of detached stubs

returned to them by the inspectors, and shall inclose all such ballots so returned to them, all such ballots not delivered to voters, and all such detached stubs, in a sealed package, and deliver it, together with such written statement, if in the city of Brooklyn, to the chairman of the board of canvassers, and if elsewhere to the chairman of the board of inspectors.

§ 107. General duties of poll clerks.—Each poll clerk at each polling place for which official ballots are required to be provided, shall have a book for the keeping the poll-list thereof, containing columns headed respectively, numbers on ballots, names of voters, and if in a city, residence of voters. If there shall be an additional ballot box for votes cast upon a proposed constitutional amendment or other proposition or question, or if the election is one at which both general and local ballots are voted, for which separate ballot boxes are provided as prescribed by section eighty-two of this act, there shall be an additional column in each poll-list book for each ballot box, headed with the number and other designations thereof. Upon each delivery of an official ballot or a set of official ballots by the ballot clerks to a voter, each poll clerk shall enter upon his poll-list, in the appropriate columns, the printed number upon the stubs of the ballots so delivered, the name of the voter, in the alphabetical order of the first letter of his surname, and if in a city, the residence of the voter by street and number, or if it have no street number, a brief description of the locality thereof. If the ballot or set of ballots delivered to any voter shall be returned by him to the ballot clerks, the ballot number thereof, so entered on the poll-list, shall be canceled, by drawing a mark through it, leaving the number still legible, and upon the delivery of each additional ballot or set of ballots by the ballot clerks to the same voter, the poll clerks shall add opposite the name of such voter on the poll-list, in the proper column, the printed number on the stubs of such additional ballot or set of ballots. Each poll clerk shall designate upon his poll-list every person entered upon his list, who shall have been challenged and taken either of the oaths upon such challenge, by some appropriate mark opposite the name of each such person. As each voter offers his ballot to the inspectors, each poll clerk shall report to the inspector whether the number entered on the poll-list kept by him, as the number on the stub of the ballot last delivered to such voter is the same as the number on the stub of the ballots so offered. As each voter votes, each poll clerk shall check the name of such voter on his poll-list, and, if there be more than one ballot-box for the reception of votes cast, shall enter a check in each column headed to correspond to each ballot-box into which a ballot of such voter is deposited. Upon the close of the polls of the election,

the poll clerks shall deliver such poll-lists to the chairman of the board of inspectors thereof.

§ 108. General duties of inspectors in connection with the balloting.—One of the inspectors of election at each polling place, where the polls of an election thereat are open, shall be designated to receive the ballots from the voters voting. If it be an election for which voters are required to be registered, the other inspectors shall, before any ballots are delivered by the ballot clerks to a voter, ascertain whether such voter is duly registered, and so announce to the ballot clerks, who shall not deliver any ballots to such voter until such inspectors announce that such voter is registered. Upon each delivery of ballots to a voter, such inspectors shall enter opposite the name of such voter upon the register and in each of the certified copies thereof, the number printed on the stubs of the ballots so delivered, canceling any previous number so entered, without rendering it illegible. As each person, so registered, votes, they shall check his name upon such register, and upon each of the two certified copies thereof. The inspectors shall, forthwith upon detaching the stubs from any official ballots, deliver such detached stubs to the ballot clerks.

§ 109. When unofficial ballots may be voted.—If, for any cause, the official ballots shall not be provided as required by law at any polling place, upon the opening of the polls of an election thereat, or if the supply of official ballots shall be exhausted before the polls are closed, unofficial ballots, printed or written, made as nearly as practicable in the form of the official ballots, may be used.

§ 114. Canvass of votes by inspectors.—As soon as the polls of an election are closed, if in the city of Brooklyn, the board of canvassers, and if elsewhere, the inspectors of election thereat, shall publicly canvass and estimate the votes and not adjourn or postpone the canvass until it shall be fully completed. They shall commence by comparing the two poll-lists with each other, correcting any mistakes therein, and by counting the ballots found in the ballot-boxes without unfolding them, except so far as to ascertain that each ballot is single, and by comparing the ballots found in each box with the number shown by the poll-lists to have been deposited therein. If the ballots found in any box shall be more than the number of ballots so shown to have been deposited therein, such ballots shall all be replaced without being unfolded in the box from which they were taken and one of the inspectors or canvassers shall, without seeing the same, publicly draw out as many ballots as shall be equal to such excess and without unfolding them forthwith destroy them. If two or more ballots shall be found in a ballot-box so folded

together as to present the appearance of a single ballot, they shall be destroyed, if the whole number of ballots in such ballot-box exceeds the whole number of ballots shown by the poll-lists to have been deposited therein and not otherwise. If there lawfully be more than one ballot-box for the reception of ballots voted at any one polling-place, no ballot, properly indorsed, found in the wrong ballot-box shall be rejected but shall be counted in the same manner as if found in the proper ballot-box, if such ballot shall not together with the ballots found in the proper ballot-box make a total of more ballots than are shown by the poll-list to have been deposited in the proper box. No ballot that has not the official indorsement shall be counted except such as are voted in accordance with the provisions of this chapter relating to unofficial ballots. If requested by any watcher the inspectors or canvassers shall, during the canvass, exhibit any and all ballots cast at such election or town meeting to such watcher fully opened, and in such a condition that he may fully and carefully read and examine the same, but such inspector or canvasser shall not allow any such ballot to be taken from his hands. When any inspector, ballot clerk or watcher shall demand an oral count of the vote upon candidates for a particular office, the chairman of the board shall take all the ballots into his possession, and call aloud the names of the candidates for such office as they appear upon the respective ballots, and shall hand the ballots, as fast as he calls the names from them, to the other inspectors for verification. The poll clerks shall each keep tally of the number of votes called for each candidate, and announce the result as soon as the count is completed, and the figures shall thereupon be submitted to the inspectors, ballot clerks and watchers for examination. The room in which such canvass is made shall be clearly lighted and such canvass shall be made in plain view of the public. When in a case not provided for by sections one hundred and four and one hundred and five of this act, an inspector of election or other election officer, or duly authorized watcher, shall, during a canvass of the votes, or immediately after the completion thereof, declare his belief that any particular ballot has been written upon or marked in any way for the purpose of identification, the inspectors or canvassers shall write on the back of such ballot the words "objected to because marked for identification," or words in substance to that effect, and sign their names thereto, and attach each such ballot to their written statement of the result of the canvass. Each such ballot shall be counted by them the same as if not so objected to. When two or more ballot-boxes are provided for the reception of different kinds of ballots, as hereinbefore pro-

vided, the said ballot-boxes shall be opened and the ballots canvassed in the following order, namely: first, the box containing the general ballots; secondly, the box containing the local ballots, and lastly, the box containing the ballots cast upon any constitutional amendment or other proposition or question.

§ 115. Certified statement of canvass.— Upon the completion of the canvass, the inspectors, except in the cities of New York and Brooklyn, shall make and sign a written statement thereof, showing the date of the election, the number of the district, the town or ward and the county in which it was held, the whole number of ballots received for each office, the whole number cast for each person for such office and the whole number of ballots objected to because marked for identification, written out at length in words and at the end thereof a certificate signed by the inspectors to the effect that the statement is in all respects correct. Official ballots by which different voters have voted for exactly the same candidates for the same officers are referred to in this section as ballots of the same kind. Such inspectors shall securely attach to such statement one official ballot of each kind voted at the election. They shall state in words at full length and written partly on such ballot and partly upon the statement to which it shall be attached the whole number of the ballots which were received of the same kind as the one attached. Such inspectors shall also securely attach to such statement all unofficial ballots, if any, which were voted, whether they shall be similar to each other or dissimilar. Unless such election be an election of town, city, village or school officers held at a different time from a general election, such inspectors shall forthwith and before adjourning make two certified copies of such certified statement of the result of the canvass. Forthwith upon the completion of such certified statements, and of such copies thereof if required, and the proclamation of the result, the ballots voted and not required to be attached to such certified statement or to such copies shall be destroyed.

§ 134. Statements of canvass by county board.— Upon the completion by a county board of canvassers of their canvass of the votes so cast in such county, they shall make separate statements thereof as follows: One statement as to all the votes, if any, so cast for all the candidates for each officer or elector of president and vice-president of the United States for which the electors of such county were entitled to vote at such election; another statement as to all the votes so cast for all the candidates for each state office, except member of the assembly, and for each office of representative in congress for which the electors of such county or any portion thereof are entitled to vote; another statement as to all the votes, if any, cast upon every proposed con-

stitutional amendment or other proposition or question duly submitted to all the electors of the state at such election; another statement as to all the votes cast for all the candidates for each office of member of assembly for which the electors of such county or any portion thereof were entitled to vote at such election; another statement as to all the votes, if any, so cast for all the candidates for each county office and office of school commissioner for which the electors of such county, or any portion thereof were entitled to vote at such election; another statement as to all the votes, if any, so cast upon any proposition or question upon which only the electors of such county were entitled to vote at such election. Each such statement shall set forth, in words written out at length, all the votes so cast for all the candidates for each such office, and if any such office was to be filled at such election by the electors of a portion only of such county, all the votes cast for all the candidates for each office in any such portion of the county, designating by its proper district number or other appropriate designation, the names of each such candidate and the number of votes so cast for each, the whole number of votes so cast upon any proposed constitutional amendment or other proposition or question and of all the votes so cast in favor of and against the same, respectively. If upon such canvass any statement or duly certified copy of statement of the result of the canvass of the votes of any election district in such county, shall have any ballot annexed thereto, indorsed by the inspectors or canvassers to the effect, in substance, that it was objected to as marked for identification, the county board of canvassers shall count such ballot as though not so marked, unless otherwise ordered by a court of competent jurisdiction, but they shall add to each appropriate statement in which the count of any such ballot or portion thereof is included, a statement of the whole number of ballots so indorsed and counted for all the candidates for each office and the number of such ballots so counted for each candidate. Each such statement shall be certified as correct over the signature of the members of the board or a majority of them and shall be filed and recorded in the office of the county clerk of such county.

§ 136. Transmission of statements of county boards to the secretary of state.—Upon the filing in the office of a county clerk of a statement of the county board of canvassers as to the votes cast for candidates for the offices of electors of president and vice-president, or as to the votes cast for candidates for state offices, excepting member of assembly, and for representatives in congress, or as to the votes cast upon any proposed constitutional amendment or other proposition or question submitted to all the electors of the state, such county clerk shall

forthwith make three certified copies of each such statement, and, within five days after the filing thereof in his office, transmit by mail one of such copies to the secretary of state, one to the governor and one to the comptroller. The governor and comptroller shall forthwith upon the receipt thereof by them deliver such certified copies to the secretary of state. If any certified copy shall not be received by the secretary of state on or before the last day of November next after a general election, or within twenty days after a special election, he shall dispatch a special messenger to obtain such certified copy from the county clerk required to transmit the same, and such county clerk shall immediately upon demand of such messenger, at his office make and deliver such a certified copy to such messenger who shall as soon as practicable deliver it to the secretary of state. The county clerk of each county shall transmit to the secretary of state, within twenty days after a general election and within ten days after a special election, a list of the name and residence of each person determined by the board of county canvassers of such county to be elected member of assembly, school commissioner, and to any county office; and on or before the fifteenth day of December in each year a certified copy of the official canvass of the votes cast in such county by election districts at the next preceding general election. The secretary of state shall obtain from the governor and comptroller such certified copies so transmitted to them, and file the same in his office.

§ 138. Canvass by state board.—Such board shall at such meeting proceed to canvass the certified copies of the statements of the county board of canvassers of each county in which such election was held. If any member of such board shall dissent from a decision of the board, or shall deem any of the acts or proceedings of the board to be illegal or irregular, and shall protest against the same, he shall state such dissent or protest in writing, signed by him, setting forth his reasons therefor, and deliver it to the secretary of state, who shall file it in his office. Upon the completion of such canvass such board shall make separate tabulated statements signed by the members of such board or a majority thereof of the whole number of votes cast for all the candidates for each office shown by such certified copies to have been voted for, and of the whole number of votes cast for each of such candidates, indicating the number of votes cast in each county therefor, the name of each office, and if the voters of a district only of the state were entitled to vote for candidates therefor, the name and number of such district, and the name of each candidate and the determination of the board of the person

thereby elected to such office; the whole number of votes shown by such certified copies to have been cast upon each proposed constitutional amendment or other proposition or question shown by such copies to have been voted upon the whole number of votes cast in favor of and against each respectively, and the determination of the board as to whether it was adopted or rejected. Each such statement, dissent and protest shall be delivered to the secretary of state and recorded in his office.

§ 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed; but nothing herein contained shall in anywise affect any civil or criminal action now pending, or any right accrued, under or pursuant to the provisions of any act which is hereby amended or repealed.

§ 3. This act shall take effect June first, eighteen hundred and ninety-four.

§ 4. This act shall not be deemed to repeal or in any wise affect the provisions of law relating to the adoption and use of the Myers automatic ballot cabinet.

Mr. Sheffield moved to non-concur in said amendments, and that a committee of conference be appointed thereon, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Sheffield, Thornton, O'Grady, Ryder and Butts.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments and have appointed a committee of conference thereon, and request the appointment of a like committee on the part of Senate.

The Senate returned the bill (No. 1111) entitled "An act in relation to agricultural experiment stations within this State" (Int. No. 537), with a message that they have concurred in the passage of the same with the following amendments:

(Reference to printed bill.)

Page 3, line 12, strike out all from the word "agricultural" to the word "university" inclusive.

Same page, line 13, after the word "university" insert the words "and the Agricultural Experiment Station at Geneva, established by the laws of this State, are hereby"; also, in same line, strike out the words "is" and "college" and insert the word "institutions" in place of the word "colleges."

Same page, line 25, after the word "university" insert the words "and the Agricultural Experiment Station at Geneva."

Page 4, line 2, insert the words "nine-tenths thereof."

Same page, line 3, after the word "same" insert the words "and one-tenth thereof to the office of the Agricultural Experiment Station at Geneva, designated to receive the same."

Same page, line 8, strike out the word "thirteenth" and insert the word "thirtieth."

Make section 2 read as follows:

"§ 2. The Treasurer of this State shall keep the account of all moneys hereafter received by him, in pursuance of such act of Congress, in a separate fund, to the credit of the Cornell University and the agricultural experiment station at Geneva, in the proportion stated in section 1 of this act, and shall pay all such moneys immediately upon the receipt thereof by him to the officers respectively designated therein to receive the same, upon the warrant of the Comptroller, issued upon the order of the trustees of Cornell University and the board of control of the agricultural experiment station at Geneva, in pursuance of said act of Congress, which said moneys are hereby appropriated for the purposes herein stated."

Change section 2 to section 3 and section 3 to section 4.

Mr. Speaker put the question whether the House would concur said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Parkhurst	Stein
Babcock	Dinkelspiel	Keck	Plant	Stevens
Baker	Douglas	Keleher	Porter	Stewart
Berry	Dowling	Kelsey	Prescott	Stone
Brennan	Eldredge	Kerr	Reilly	Sulzer
Brownell	Fairbrother	Kern	Rider, J.J.	Taylor
Burtis	Finnigan	Kneeland	Robbins	Terry, C.W.
Bush	Fish	Lasch	Robertson	Terry, J.F.
Butts	Foley	Lawson	Robinson	Thompson
Cain	Friday	Lee	Roche	Thornton
Callahan	Fuller	Lounsbury	Ryder, E.L.	Tobin
Carroll	Gerst	Marrin	Schoepflin	Trainor
Cassin	Gleason	McDermott	Schulz, F.F.	Tuttle
Chambers	Glenn	Melody	Seibert	Vacheron
Chapman	Gould	Messiter	Sheffield	Van Amber
Clark, F.E.	Harrigan	Mittnacht	Sherwood	Wells
Clark, J. H.	Herrman	Myers	Smith, M.F.	Whittet
Conklin	Higbie	Nixon	Snyder	Wieman

Corrigan	Hobbie	O'Donnell	Southworth	Wilcox
Cutler	Hoeffer	O'Grady	Stadtfeld	Wyckoff
Davidson	Hotaling			

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Ainsworth moved that the session be extended to 1.45 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth gave notice that he would move a call of the House at 12.30 o'clock.

Mr. Butts offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1463, entitled "An act to amend chapter 537 of the Laws of 1893, entitled 'An act for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York, or otherwise'" (Int. No. 1281), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Baker offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the Assembly on prisons be and is hereby authorized and directed to visit the several State prisons and other penal institutions under the control and management of the State, for the purpose of inspecting the management and condition of the same, with the view of ascertaining by inspection and inquiry, as may appear to said committee practicable and necessary, what legislation, if any, is required to improve the conduct and maintenance of such institutions and for any repairs, alterations or construction of buildings and apparatus connected therewith. Said committee may conduct the inquiries herein specified and authorized at such time or times during the remainder of the year 1894 as shall be most convenient, and may employ such clerical assistance, but not more than one clerk, as in their judgment may be necessary, and shall report the result thereof to the Assembly with the recommendations concerning the same as required by the facts in the case.

Said resolution was referred to the committee on ways and means.

By unanimous consent,

Mr. Cutler introduced a bill entitled "An act to further amend chapter 291 of the Laws of 1870, being 'An act for the incorporation of villages,' as amended by chapter 694 of the Laws of 1893" (Int. No. 1492), which was read the first time.

Mr. Sulzer moved to refer said bill to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wilcox, Int. No. 1490, entitled "An act to authorize the common council of the city of Auburn to borrow money and issue its bonds for the maintenance of the fire department of said city," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Taylor, Int. No. 1114, entitled "An act to amend an act entitled 'An act to drain and improve certain lands of Thomas Hunt, lying in the Eighth ward of the city of Brooklyn, between the Third avenue and New York bay and Forty-fourth and Forty-ninth streets, and to alter the commissioners' map of said city in conformity thereto, passed April 8, 1873,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Burtis, Int. No. 366, entitled "An act to amend title 7 of section 10 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lawson, Int. No. 1396, entitled "An act to provide for the sale of the privilege of dumping earth and rock in such parts of the public parks of the city of New York, as may be required to be filled in," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fuller, Int. No. 1327, entitled "An act to legalize all assessments for local improvements heretofore made in the city of Watertown," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Fuller, and by unanimous consent, said bill was ordered to a third reading and referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Robertson, Int. No. 1030, entitled "An act to further amend section 307 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888 and chapter 531 of the Laws of 1890, and chapter 82 of the Laws of 1892, and chapter 178 of the Laws of 1892, relating to a pension fund for the police department of said city," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lawson, Int. No. 1095, entitled "An act to amend section 714 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 567 of the Laws of 1887, relating to the department of docks," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Harrigan, Int. No. 1475, entitled "An act authorizing the city of Yonkers to issue street improvement bonds," reported in favor of the passage of the same, without amendment, which report was agreed to.

Mr. Harrigan asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Howe	Parkhurst	Stein
Baker	Dowling	Keck	Porter	Stevens
Braun	Eldredge	Keleher	Rider, J.J.	Stewart
Brennan	Fairbrother	Kelsey	Robbins	Stone
Brownell	Fish	Kern	Robertson	Sulzer
Burtis	Foley	Kneeland	Robson	Taylor
Bush	Friday	Lasch	Roche	Terry, C.W.
Butts	Fuller	Lawson	Ryder, E.L.	Thornton
Callahan	Gardiner	Lee	Scanlon	Tilton
Carroll	Gerst	Lounsbury	Schoepflin	Trainor
Cassin	Glenn	Marrin	Schulz, F.F.	Tuttle
Chambers	Gray	Matthews	Schulz, H	Vacheron
Clark, F.E.	Hennessy	McKeon	Seibert	Wells
Clark, J. H.	Herrman	McNamee	Sheffield	Whittet
Conklin	Higbie	Melody	Sherwood	Wilcox
Coughlin	Hobbie	Mittnacht	Smith, M.F.	Wray
Cutler	Hoefler	Myers	Smith, S.W.	Wyckoff
Dean	Hotaling	Nixon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Harrigan, Int. No. 1483, entitled "An act to authorize the city of Yonkers to borrow money and issue bonds for the payment of its indebtedness other than its bonded indebtedness which matured prior to March 5, 1894," reported in favor of the passage of the same, without amendment, which report was agreed to.

Mr. Harrigan asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Grady	Snyder
Babcock	Dinkelspiel	Houghton	Parkhurst	Stadtfeld
Baker	Dowling	Howe	Porter	Stein
Braun	Eldredge	Keck	Prescott	Stewart
Brennan	Fairbrother	Keleher	Rider, J.J.	Stone
Brownell	Fish	Kelsey	Robbins	Sulzer
Burtis	Foley	Kern	Robertson	Taylor
Bush	Friday	Kneeland	Robson	Terry, J.F.
Butts	Fuller	Lasch	Roche	Thompson
Callahan	Gardiner	Lawson	Scanlon	Thornton
Carroll	Gerst	Lee	Schoepflin	Tilton
Cassin	Glenn	Lounsbury	Schulz, F.F.	Trainor
Chambers	Gray	Marrin	Schulz, H	Vacheron
Clark, F.E.	Hennessy	Matthews	Seibert	Van Amber
Clark, J. H.	Herrman	Melody	Sheffield	Wells
Conklin	Higbie	Messiter	Sherwood	Whittet
Coughlin	Hobbie	Mittnacht	Smith, M.F.	Wilcox
Cutler	Horton	Nixon	Smith, S.W.	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lasch, Int. No. 1089, entitled "An act to vacate certain assessments for improving Second avenue in the city of Albany," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Fish, and by unanimous consent, said bill was placed on the order of third reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Coughlin, Int. No. 1064, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was

referred the bill introduced by Mr. Robinson, Int. No. 668, entitled "An act to exempt and release the real property of the Exempt Firemans' Association of Long Island City, from taxation," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Robinson, Int. No. 1413, entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Melody, Int. No. 1405, entitled "An act to prevent the construction or operation of a railroad in South Ninth street, between Wythe avenue and Broadway, in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Grady, Int. No. 1477, entitled "An act to incorporate the Masonic Temple Association of the city of Rochester, N. Y.," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cantor, Rec. No. 364, entitled "An act to amend chapter 584 of the Laws of 1869, entitled 'An act to incorporate the Manhattan Eye and Ear Hospital in the city of New York,' passed May 5, 1869, as amended by chapter 348 of the Laws of 1884," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 707, entitled "An act in relation to the Wallabout market lands in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, said bill was placed on the order of third reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 78, entitled "An act to amend sections 1846 and 1858, of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to the registration of voters," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 372, entitled "An act to amend the charter of the city of Rochester, in relation to a change of name of the executive board of said city," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. O'Grady, and by unanimous consent, said bill was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 84, entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police force in the city of Yonkers,' and the acts amendatory thereof," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Harrigan, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Almsworth	Denniston	Horton	O'Grady	Stein
Babcock	Dinkelspiel	Houghton	Parkhurst	Stevens
Baker	Dowling	Howe	Porter	Stewart
Berry	Eldredge	Keck	Prescott	Stone

Braun	Fairbrother	Keleher	Rider, J.J.	Sulzer
Brownell	Finnigan	Kelsey	Robbins	Taylor
Burtis	Fish	Kern	Robertson	Terry, J.F.
Bush	Foley	Kerrigan	Robson	Thorpson
Butts	Friday	Kneeland	Roche	Thornton
Callahan	Fuller	La Fetra	Scanlon	Tilton
Carroll	Gardiner	Lawson	Schoepflin	Trainor
Chambers	Gerst	Lee	Schulz, F.F.	Tuttle
Chapman	Gleason	Lounsbury	Schulz, H	Vacheron
Clark, F.E.	Glenn	Marrin	Sheffield	Van Amber
Clark, J. H.	Gray	Matthews	Sherwood	Wells
Conklin	Hennessy	Melody	Smith, M.F.	Whittet
Coughlin	Herrman	Messiter	Smith, S.W.	Wilcox
Cutler	Higbie	Mittnacht	Snyder	Wray
Davidson	Hoefler	Nixon	Stadtfeld	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Pound, Rec. No. 271, entitled "An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 314, entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of the said city,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 200, entitled "An act to amend chapter 644 of the Laws of 1893, entitled 'An act to create a general improvement commission, and provide for certain improvements in the highways, streets, avenues, boulevards and public places in Long Island City,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 39, entitled "An act to amend chapter 627 of the Laws of 1893, entitled 'An act authorizing the city of Yonkers to purchase and erect a crematory in which to burn garbage and other substances,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 315, entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds, for the building of school houses and the payment of debts contracted for the purchase of land for school purposes," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Bradley, Rec. No. 285, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to the department of fire," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, said bill was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 323, entitled "An act to authorize the city of Albany to borrow money and issue bonds for the purchase or building of a garbage crematory for the use of said city," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 34, entitled "An act to amend section 5 of chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lamy, Rec. No. 334, entitled "An act to amend to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 249, entitled "An act to amend section 30 of title 3 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 698, entitled "An act in relation to local improvements in the city of Brooklyn, and to provide by the issue of bonds the means required therefor," reported in favor of the passage of the same, without amendment, which report was agreed to.

Mr. Taylor asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stein
Babcock	Dinkelspiel	Keck	Parkhurst	Stevens
Baker	Dowling	Keleher	Prescott	Stewart
Braun	Eldredge	Kelsey	Rider, J.J.	Stone
Brownell	Fairbrother	Kern	Robertson	Sulzer
Burtis	Fish	Kerrigan	Robson	Taylor
Bush	Foley	Kneeland	Roche	Terry, C.W.
Butts	Friday	Lasch	Ryder, E.L.	Thompson

Callahan	Fuller	Lawson	Scanlon	Thornton
Carroll	Gardiner	Lee	Schoepflin	Tilton
Cassin	Gerst	Lounsbury	Schulz, F.F.	Trainor
Chambers	Glenn	Marrin	Schulz, H	Tuttle
Chapman	Hennessy	Matthews	Sheffield	Vacheron
Clark, F.E.	Herrman	Melody	Sherwood	Van Amber
Clark, J. H.	Higbie	Messiter	Smith, M.F.	Wells
Conklin	Hobbie	Mittnacht	Smith, S.W.	Wieman
Coughlin	Hoefer	Myers	Snyder	Wray
Cutler	Horton	Nixon	Stadtfeld	Wyckoff
Dean	Hotaling			

Ordered. That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lexow, Rec. No. 289, entitled "An act to amend chapter 549 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh and the several acts amendatory thereof,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 247, entitled "An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provision for the celebration of Memorial day, including the year 1891,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 699, entitled "An act to amend chapter 357 of the Laws of 1892, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as it relates to the interest and taxation on securities issued by the city of Brooklyn,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 260, entitled "An act to amend section 31 of title 15 of chapter

583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' as amended by chapter 354 of the Laws of 1889, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as it relates to auxiliary sewers," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 253, entitled "An act to repeal section 4 of title 18 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to contract for supplying the public lamps with gas," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 374, entitled "An act for the relief of John C. O'Brien," reported in favor of the passage of the same with the following amendments:

Page 1, line 2, insert after the word "authorized" the words "and empowered in its discretion."

Same page, line 4, strike out the word "per" and insert the word "for."

HAMILTON FISH,
Chairman.

Which report was agreed to.

On motion of Mr. O'Grady, and by unanimous consent, said bill was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Robertson, Int. No. 305, entitled "An act to authorize the city of Mount Vernon, Westchester county, to acquire and complete a system of water-works to supply said city with pure and wholesome water, and to issue bonds of said city in payment therefor," reported in favor of the passage of the same, with the following amendment:

Page 2, line 6, strike out all from the word "appointed" down

to and including the word "county" in line 10, and insert the words "by a court of record in said county, in the following manner: One upon a nomination of the mayor of said city; one upon a nomination of the corporation supplying said city with water; and the third such person as said court may select.

HAMILTON FISH,
Chairman.

Which report was agreed to.

On motion of Mr. Sulzer, and by unanimous consent, said bill was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 637, entitled "An act to amend section 20 of title 4 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,'" reported in favor of the passage of the same with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section twenty of title four of chapter two hundred ninety-eight of the laws of eighteen hundred eighty-three, entitled "An act to provide for the government of the city of Albany," is hereby amended so as to read as follows:

§ 20. The mayor shall, after the first Tuesday of May, in the year eighteen hundred and ninety-four, appoint three assessors, each of whom shall be a freeholder, and one of whom at least shall belong to a different political party from the mayor, and whose term of office shall commence upon the day of such appointment, and the terms of office of the aforesaid three assessors shall (subject to section twelve of title four of this act) expire as follows: One who shall be known as chief assessor at noon on the first Tuesday of May in the year eighteen hundred and ninety-seven, one at noon on the first Tuesday of May in the year eighteen hundred and ninety-six, and one at noon on the first Tuesday of May in the year eighteen hundred and ninety-five, and the mayor shall hereafter annually on the first Tuesday of May in each year appoint one assessor, who shall hold office for the term of three years and who shall possess the qualifications herein provided. The terms of office of the present assessor shall expire upon the appointment and qualification of the assessors to be appointed as hereinbefore provided. The chief assessor shall receive as compensation the sum of three thousand dollars per year, and he shall give his entire time and attention to the duties of said office, the other two assessors to be known as assistant assessors, shall receive as compensation the sum of two thousand dollars per year, and shall give their time and attention

to the duties of said office from the first day of April until the first day of October in each year, or at such other times when the said assessor may be required by law to meet and act, and said assessors shall receive no other compensation for their services from said city.

§ 2. This act shall take effect immediately.

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 477, entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,'" reported in favor of the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section seven of title three of chapter two hundred and ninety-eight of the laws of eighteen hundred and ninety-three, entitled "An act to provide for the government of the city of Albany," is hereby amended so as to read as follows:

§ 7. The common council shall biennially elect a president from its own body and in his absence a president for the time being, and biennially appoint its clerk, who shall receive a salary of twenty-five hundred dollars per annum, payable monthly, and who shall perform such duties as may be prescribed for him. The clerk so appointed shall also be the city clerk, and hold his office for two years, unless removed for cause and by consent of the common council. The city clerk shall have charge of all the papers and documents of the city, except as in this act otherwise provided, and except as are by law committed to the keeping and custody of other officers of the city government. The clerk of the common council may appoint an assistant who shall hold office during the pleasure of the clerk of the common council and receive a salary of eight hundred dollars per annum, payable monthly. The common council shall hold a regular meeting on the first Tuesday of May in each year, at twelve o'clock noon, for the transaction of general business and the receipt of the mayor's message, and thereafter its regular meetings shall be held on the first and third Mondays of each month, and it may hold special meetings at such other times as it may choose, at the common council chamber. When said day of meeting falls on a legal holiday, then said meeting shall be held on the Thursday following. It shall determine the rules of its own proceedings

except as herein otherwise provided; be the sole judge of the qualifications and election of its members; keep a journal of its proceedings, and may punish or expel a member for disorderly conduct or a violation of its rules, or declare his seat vacated by reason of absence, provided such absence be continued for the space of two months. But no expulsion shall take place, except by the vote of two-thirds of all members elected, nor until the delinquent member shall have had an opportunity to be heard in his defense. Said common council shall also meet at the call of the mayor, whenever he shall deem it expedient for the transaction of public business.

§ 2. Section twenty-eight of title three of said chapter is hereby amended so as to read as follows:

§ 28. No member of the common council or city officer shall be interested in any contract in which the city is a party, directly or indirectly, either as principal or surety in such contract, nor shall any member of the common council, city officer or member of any city board or commission, or salaried employe thereof, or his partner, or any agent, servant or employe of such member, officer or commissioner, or of the firm of which he is a partner, or of his partner, purchase from, or sell to the city, or any officer thereof, any real or personal property, for the use of the city or the alms-house therein, or any board or officer thereof as such, or be interested, directly or indirectly, in any contract with the city or in any sale to or from said city, or to its officers, and no member of the common council shall hold any office in the gift of the mayor or common council. No alderman or supervisor of Albany county, elected from the city of Albany, or person holding a clerical office in the employment of the city, shall hold any other office or employment for which he shall receive compensation, paid directly or indirectly by the city, county, state or federal government. But nothing herein contained shall be so construed as to prevent any officer of said city, or other person hereinbefore mentioned, from holding the office of commissioner of deeds, notary public, or being a member or officer of the fire department of said city, but no officer or member of any city board or commission, or employe of the city shall be eligible to or hold the office or position of inspector of election, poll clerk or ballot clerk.

§ 3. Section three of title seven of said chapter is hereby amended to read as follows:

§ 3. It shall be the duty of the receiver of taxes to receive all taxes as now provided by law, and to retain in his possession, in the said office, the assessment-rolls and warrants which shall, from time to time, be delivered to him by the supervisors; to enter daily in suitable books to be kept for that purpose, among

other things, the date of payment, the ward for or on account of which the payment is made, and in suitable columns the name of the person or corporation on whose account any taxes shall be paid, the amount of the tax so paid as it appears upon the assessment-roll, the amount of interest deducted therefrom or added thereto, as may be authorized by law; and the said several columns shall be footed up at each date when the rate of interest so to be deducted or added shall change. It shall further be the duty of the receiver of taxes, from time to time, to enter in a column to be made for that purpose in the assesment-rolls in his possession, opposite the names of the persons who are mentioned thereon, and who shall pay their taxes as aforesaid to the receiver of taxes, the fact of such payment, the amount thereof and the day when paid. And he shall, at the expiration of the office hours each day, exhibit such entries to the chamberlain of the city of Albany, and pay over to the said chamberlain the amount so received on such day until he shall have paid over to the said chamberlain the whole amount specified in the warrants to be paid to the said chamberlain, provided, however, that out of the whole amount so received and prior to the fifteenth day of January in each year the receiver of taxes shall pay over to the treasurer of Albany county at least fifty thousand dollars of the amount to be paid to said treasurer as hereinafter mentioned. It shall then be the duty of the said receiver to pay over in the same manner his daily receipts to the treasurer of the county of Albany, until there shall remain unpaid upon the face of the assessment-rolls for taxes, an aggregate amount equal to and not exceeding the amount of the state tax, as mentioned in and levied under the tax budget as and for that portion of the state tax imposed upon Albany county chargeable to the city of Albany. Said receiver of taxes shall then and thereupon notify the county treasurer of such fact, and all moneys thereafter received by the said receiver of taxes shall be paid over to and be received by the county treasurer as a deposit in a special account for the payment of the state tax due from the city of Albany, and a separate account shall be kept therewith by the county treasurer, who shall at once apply the same, or so much thereof as may be necessary, to the payment of any note theretofore issued under the provisions of section twenty-two of this title, and any part thereof not required for that purpose shall be held by him and applied upon the state tax as hereinafter provided for. The entries of receipts of the water rates shall be made by the tax receiver in like form as is above provided for in case of the receipt of taxes.

§ 4. Section twenty-one of title four of said chapter is hereby amended so as to read as follows:

§ 21. The mayor shall biennially, and within three months after the commencement of his term of office, appoint by filing a certificate or certificates of appointment with the clerk of the common council (which certificates shall be presented by said clerk at the next meeting of the common council, and printed in its journal) one corporation counsel, and such clerks and subordinates, not to exceed two, as he may require to aid him in his official duties.

§ 5. Section one of title twelve of said chapter is hereby amended so as to read as follows:

§ 1. The street commissioner shall receive a salary of two thousand and five hundred dollars a year. He shall appoint two superintendents of streets, with the approval of the mayor, who shall hold their places during the pleasure of the commissioner and shall perform such services as the commissioner may direct. Each of the other two superintendents shall receive a salary of twelve hundred dollars per year, respectively. The street commissioner shall receive the further sum of five hundred dollars a year for the maintenance of a horse and wagon to be used by him in the execution of the duties of his office.

§ 6. Section thirteen of title sixteen of said chapter is hereby amended to read as follows:

§ 13. Six district physicians for said city shall be appointed by the board of health thereof and be subject to its directions and perform such duties as may be prescribed by it. Each district physician shall receive a salary of four hundred dollars per year, and shall reside in the district for which he is appointed. The mayor's clerks shall receive, respectively, one thousand dollars and eight hundred dollars a year. The two men who shall operate the Lawrence street bridge shall receive such compensation during the season of navigation as the mayor shall, by a certificate in writing, to be filed with the chamberlain, from time to time direct, not, however, to exceed the sum paid by the state of New York for similar services.

§ 7. Section one of title twenty-one of said chapter is hereby amended so as to read as follows:

§ 1. The officers of the city to be elected by general ticket at the charter election shall be the mayor, recorder and two aldermen from the city at large, and from and after the first day of January, eighteen hundred and ninety-five, all vacancies in the office of police justice and justice of the city court of Albany shall be filled by appointment in writing by the mayor of the city of Albany, who shall file such appointment with the clerk of the common council of said city. The term of office of all police justices and justices of the city court of Albany, appointed by the mayor, shall continue for four years from and after the first Tues-

day of January of the year in which such appointment shall be made. Except that if the last occupant of the office shall not have served during a full term, the person appointed to succeed him shall hold the office only during the unexpired period of such term.

§ 8. This act shall take effect immediately.

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Berry, Int. No. 1329, entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,'" reported in favor of the passage of the same with the following amendments :

Page 2, line 2, insert before the word "not" the words "at a rate" and strike out the word "as."

Same page, line 3, strike out the word "of."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 473, entitled "An act in relation to the city court of Albany, prescribing the terms of the justices of the said court, and their duties," reported in favor of the passage of the following substitute therefor :

AN ACT in relation to the city court of Albany, and to prescribe the terms of the justices of the said court, their duties and its jurisdiction.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The term of office of the justice of the city court of Albany, elected or to be elected at the charter election of the city of Albany, to be held on the second Tuesday of April, eighteen hundred and ninety-four, shall expire on the first Tuesday of May, eighteen hundred and ninety-six. On the first Tuesday of May, eighteen hundred and ninety-five, or within five days thereafter, the mayor of the city of Albany, shall, by his certificate, in writing, to be filed in the clerk's office of Albany county, appoint some proper and discreet person, who shall possess the qualifica-

tions prescribed in section four of this act, to be a justice of the city court of Albany, in the place of, and the successor to, the justice of said court, whose term of office expires, or shall have expired in the month of May, eighteen hundred and ninety-five, and such justice, so appointed, shall hold such office until the first Tuesday of May, eighteen hundred and ninety-six.

§ 2. There shall be appointed by the mayor of the city of Albany, on the second Tuesday of April, eighteen hundred and ninety-six, and at the expiration of every four years thereafter, two justices of the city court of Albany, who shall hold their offices for the term of four years.

§ 3. On the first Tuesday of May, eighteen hundred and ninety-six, or within five days thereafter, the two justices of the city court of Albany shall, by a certificate in writing to be filed in the clerk's office of Albany county, appoint some proper and discreet person, to be and to act as clerk of said court, who shall have and possess all and singular, the powers, and perform the duties now incumbent on one of the justices of said court when acting as clerk of said court, and said justices shall have the power to remove the said clerk and to appoint his successor. In case of such removal or in case of a vacancy for any cause, the said justices shall in like manner, appoint his successor. Such clerk shall receive the annual salary of one thousand dollars, payable monthly, by the chamberlain of the city of Albany, as other salaries are paid by said city.

§ 4. No person shall be eligible to the office of justice of the city court of Albany unless he shall be a resident and elector of said city, and unless he shall have been regularly admitted to practice as an attorney at law in the supreme court of this state, at least five years previous to his election or appointment.

§ 5. The said court shall be open every day for the transaction of business between the hours of nine o'clock in the morning and four o'clock in the afternoon, except Sundays and holidays.

§ 6. The damage claimed, or the sum sought to be recovered in any action or civil procedure of which said court now has cognizance shall not exceed seven hundred and fifty dollars, but may equal that amount, and the said court is hereby expressly given jurisdiction in all such actions to that amount. Said court is also hereby expressly given jurisdiction in any action to recover one or more chattels, with or without damages, for the taking, withholding or detention thereof when the total value of all the chattels as stated in the affidavit made on the part of the plaintiff does not exceed seven hundred and fifty dollars in value, and also in any action wherein a matter of account, the sum total of both parties as proved to the satisfaction of the court, does not exceed the sum of one thousand five hundred dollars.

§ 7. The clerk of said court is hereby authorized, directed, and empowered, to issue all process, including summary proceedings to recover the possession of the real property, and shall make the same returnable before the court, and all fees received by said clerk in summary proceedings, or otherwise, shall be paid over by him monthly to the chamberlain of the city of Albany, to whom he shall also make monthly report.

§ 8. On and after the first Tuesday of May, eighteen hundred and ninety-six, each of the justices of the city of Albany shall be paid the sum of two thousand dollars per annum.

§ 9. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 10. This act shall take effect immediately.

HAMILTON FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Gerst, Int. No. 1377, entitled "An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo," reported in favor of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. F. E. Clark, Int. No. 645, entitled "An act for the relief of the Volunteer Life-Saving Corps of inland waters of this State, and making an appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1415, entitled "An act making an appropriation for repairing and rebuilding the Schoharie creek dam, used as a feeder for the Erie canal," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Burtis, Int. No. 1201, entitled "An act making an appropriation to pay and provide for payment of the cost and expenses in the erection of a

monument on the island of Key West, State of Florida, to the memory of the members of the Nineteenth regiment, New York State Volunteers, who died on that island from yellow fever in 1862," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 329, entitled "An act to provide for the completion of the armory for the Thirteenth Regiment in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 293, entitled "An act for the construction of a wall on the Erie canal in the town of Verona, Oneida county, from the bridge at Higginsville, west of same, and to make an appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 361, entitled "An act to construct a bridge over Butter-nut creek in the town of Dewitt, in the county of Onondaga, and for an appropriation therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 310, entitled "An act to provide for cleaning the Madison brook feeder, Lebanon feeder and Summit level of the Chenango canal, and for repairing the bulkheads, waste weirs and bridges thereon," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Keck, Int. No. 916, entitled "An act making appropriation for the State land

survey," reported in favor of the passage of the following substitute therefor :

AN ACT making appropriation for the State land survey.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. The surveys heretofore made under authority of chapter four hundred and ninety-nine of the laws of eighteen hundred and eighty-three, are hereby continued and authorized to be extended over all districts in the counties requiring such surveys as may not have been finally surveyed, and these surveys shall be made with such particular attention to the boundaries of townships and to county lines as in the judgment of the superintendent of the survey, shall be desirable.

§ 2. The superintendent of the state land survey is hereby authorized to make such surveys as the state comptroller and the state forestry commission may need to have made for the settlement of the boundaries of lands, the titles to which are in dispute.

§ 3. The direction of the state land survey is hereby continued under the control of Verplanck Colvin, the present superintendent, whose official title shall hereafter be the superintendent of the state land survey, and he shall render an annual report to the legislature of the progress of the survey, with such data relative to the public lands, and other facts, as may be desirable for the information of the legislature.

§ 4. The sum of thirty thousand dollars is hereby appropriated to meet the current expenses of this work, and this appropriation shall be paid by the treasurer on the warrant of the comptroller out of any moneys in the treasury not otherwise appropriated, and shall be accounted for to the comptroller with vouchers and bills of items for all expenditures, and from this said appropriation the superintendent of the state land survey, by and with the consent of the state engineer and surveyor, is authorized to expend the sum of not more than ten thousand dollars in meeting the field expenses of the topographers or engineers of the United States geological survey, within the district described in chapter four hundred and ninety-nine of the laws of eighteen hundred and eighty-three; provided and on condition that the director of the United States geological survey shall enter into a contract in writing with the said state engineer and surveyor to expend a like sum of not less than ten thousand dollars upon said work in the said section of the state and agrees in said contract to pay all salaries and other than the field expenses of the said geological survey topographers or engineers thus engaged in this section of the state; and provided, also, that photographic copies of the

original topographic map-sheets, and final engraved, copper map plates of each and every map made of this section by the said United States geological survey, being duplicates of the same, shall be furnished to the state engineer and surveyor of the state of New York for use in the reports or other publications of the state and for preservation by the state.

§ 5. All maps or field notes prepared and issued by the superintendent of the state land survey under his certificate, hand and official seal, shall be accepted in the courts of this state as prima facie evidence of the particular boundaries and locations therein shown, when such certified copies have been duly filed in the office of the state engineer and surveyor, or in the office of the comptroller, or in the office of the secretary of state, or in any county clerk's office of this state.

§ 6. The salary of the superintendent of the survey shall be five thousand dollars per annum, payable quarterly.

§ 7. All statutes, acts or parts of acts inconsistent with this act are hereby repealed.

§ 8. This act shall take effect immediately.

D. E. AINSWORTH,
Chairman.

Which report was agreed to.

On motion of Mr. Keck, and by unanimous consent, said bill was placed on the order of third reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Messiter, Int. No. 276, entitled "An act to establish a normal and training school in the village of Liberty, in the county of Sullivan," reported in favor of the passage of the same, with the following amendment :

Page 2, line 17, strike out the words "one hundred" and insert the word "twenty-five."

Same page, line 18, strike out the words "one hundred" and insert the word "twenty-five."

D. E. AINSWORTH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Carroll, Int. No. 766, entitled "An act to provide for the repayment of moneys to the chamberlain of the city of Albany, heretofore paid to the Superintendent of Public Works, for the construction of a lift or

hoist bridge on Water street over the Erie canal in the city of Albany," reported in favor of the passage of the same, with the following amendments:

Section 1, line 3, change the word "twelve" to the word "six," and after the word "dollars" insert the words "being one-half the amount."

Same section, line 7, after the word "canal" insert the words "and said sum is hereby appropriated for the purpose and shall be paid from the general fund."

Section 2, line 9, change the word "twelve" to the word "six."

Page 2, strike out lines 1, 2, 3, 4 and 5 and insert the following:

"Corporations who have paid the assessment for the work mentioned in section 1 of this act or who have purchased property sold under such assessment, to each or to the heirs, successors, legal representatives or assigns of each, one-half of such assessment imposed upon each lot, the assessment on which has been paid, or which has been sold for the assessment provided that each party so paid shall release the said city of Albany from all claims or liability in respect to such assessment."

Amend the title by inserting at the end the words "and the repayment of the same by the said city."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Wray offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 820, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to actions and special proceedings against the city of Brooklyn, and so as to provide for the adjustment of claims against said city," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Burtis, Int. No. 283, entitled "An act to amend section 1 of chapter 439 of the Laws of 1876, entitled 'An act relating to the expenses of judicial sales in the

county of Kings,' as amended by chapter 167 of the Laws of 1889,'” reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 203, entitled “An act to incorporate the Tidal Waterway Company, and to define its rights, powers and privileges,” reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Vacheron, and by unanimous consent, said bill was placed on the order of third reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Bradley, Rec. No. 341, entitled “An act to amend chapter 383 of the Laws of 1877, entitled ‘An act to amend chapter 571 of the Laws of 1866, entitled An act to incorporate the Brooklyn Trust Company,’” reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Fish, Int. No. 1481, entitled “An act to amend chapter 307 of the Laws of 1879, entitled ‘An act to provide for the summary investigation of unlawful or corrupt expenditures by officers of towns or incorporated villages and for restraining the same,’” reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Kneeland, Int. No. 1459, entitled “An act to incorporate the Equitable Securities Company,” reported in favor of the passage of the same, with the following amendments:

Page 4, line 7, strike out the words “The following persons shall constitute.”

Same page, line 8, strike out the name “George Coppel.”

Same page, strike out all of lines 9, 10, 11, 12, 13, 14 and 15.

Same page, line 16, strike out the words “to act as such directors to be filled” and insert the words “shall be elected.”

Page 5, lines 24 and 25, strike out the words “fifteen hundred” and insert the words “seventy-six hundred and twenty-five.”

Page 7, line 14, after the word "corporation" insert the words "such corporation to be deemed a moneyed corporation."

PHILIP KECK,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Kneeland, Int. No. 1431, entitled "An act to provide for the discharge of an insolvent from his debts," reported in favor of the passage of the same with the following amendments:

Page 1, line 1, after the word "seventeen" insert the words "of the Code of Civil Procedure."

Page 2, strike out lines 17 and 18, and all of line 19 except the words "the publication."

Page 3, after line 26, insert the words "costs shall in the discretion of the court be entered against the defeated party in such a proceeding the same as on the trial of an equity action."

PHILIP KECK,
Chairman.

Which report was agreed to, and said bill ordered placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Keck, Int. No. 1147, entitled "An act relating to membership corporations, constituting chapter 43 of the general laws," reported in favor of the passage of the same, with the following amendments:

Page 1, change article 5 to read as follows: "Corporation for Prevention of Cruelty."

Page 409, section 11, after the word "corporation" insert the words "except a corporation for the prevention of cruelty to children or animals."

Page 410, same section, after the words "the directors of every membership corporation" insert the words "except a society for the prevention of cruelty to children or animals."

Page 412, section 13, strike out the words "leased for a term of more than three years, or mortgaged or;" after the words "out leave of the court" insert the words "but may be leased or mortgaged without such leave;" also, strike out the words "so authorized" and insert the word "executed."

Page 415, section 16, after the words "all membership corporations" insert the words "except a corporation for the prevention of cruelty to children or animals."

Page 416, section 17, after the word "legislature" insert the words "from the treasury of the State."

Page 422, section 44, after the words "to vote thereat" insert

the words "each voter shall be entitled to vote for one director, and the person receiving the greatest number of votes cast shall be elected."

Page 431, section 54, strike out all after the words "The directors," down to and including the words "certificate returned" and insert the words "shall set aside from the proceeds of sales of the use of lots and plats, such sums as they may deem necessary to pay said certificates at their maturity."

Same page, section 55, after the words "converted its outstanding" insert the words "indebtedness or," and after the words "they shall receive" insert the word "annually;" in next line, after the words "part of the" insert the word "entire;" in next line, after the words "above current expenses" insert the words "or if the proportion of the net receipts or surplus which such stockholder shall be entitled to receive shall have been fixed by agreement at the time of issuing such stock, such stockholders shall be entitled to receive dividends in accordance with such agreement."

Page 435, section 70, strike out the words "or for both of such purposes;" also strike out the word "three" after the words "less than" and insert the word "five."

Same page, same section, strike out all after the words "such certificates shall not be filed" up to and including the words "certificate may be filed accordingly," and insert the words "such certificate shall not be filed unless the written consent and approbation thereof of a justice of the Supreme Court of the judicial district in which the place of business or principal office of such corporation shall be located, be first indorsed thereon; nor unless there is annexed thereto the written certificate of the New York Society for the Prevention of Cruelty to Children, if such be the object specified, and of the American Society for the Prevention of Cruelty to Animals, if such be the object so specified, approving such incorporation. If the approval of either of such societies is not given within thirty days after application therefor, the persons proposing to form such corporation may apply to such justice for his approval upon eight days' notice of the time and place of application to the society refusing approval, which shall be entitled to appear and be heard, and the granting or refusal of the approval by the justice shall thereupon be discretionary with him."

Page 453, add the words "Laws of 1894, chapter 267.—all."

PHILIP KECK,

Chairman.

Which report was agreed to, and said bill placed on the order of third reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. E. L. Ryder, Int. No.

1077, entitled "An act providing for the sale of a certain piece of land belonging to the State of New York," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Thornton, from the committee on the judiciary, to which was referred the bill introduced by Mr. Douglas, Int. No. 1447, entitled "An act to amend chapter 334 of the Laws of 1890, entitled 'An act to incorporate the New York and New England Agricultural and Industrial Society,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Wray, Int. No. 1433, entitled "An act to enable owners of lands which have been subdivided by map into lots or plots to disclaim and abandon the subdivision thereof," reported in favor of the passage of the same with the following amendments:

Page 1, line 2, strike out the words "or hereafter may be" and insert the words "for ten years."

Same page, line 3, strike out the words "or hereafter may be."

Same page, lines 6 and 7, strike out the words "or hereafter may be."

Same page, after line 11, insert the words "nor to any streets which have been dedicated to the public by filing any map or maps."

Same page, line 14, strike out the word "Rockland."

PHILIP KECK,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Cutler, Int. No. 1426, entitled "An act to extend the time for the completion of the Hudson tunnel railway," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. F. F. Schulz, Int. No. 400, entitled "An act to repeal chapter 101 of the Laws of 1892, entitled 'An act to incorporate the East River Bridge

Company,' " reported in favor of the passage of the same with the following amendments :

Line 3, strike out the word "repealed" and insert the words "amended by adding a new section to be known as section No. 22, and which shall read as follows: This act shall be inoperative unless work shall be commenced of a substantial and permanent character on or before February 1, 1895."

Make section 22 read section 23.

Amend the title by striking out the word "repeal" and inserting the word "amend."

RICHARD HIGBIE,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the bill introduced by Mr. Herrman, Int. No. 1479, entitled "An act to amend section 1030 of the Code of Civil Procedure," reported in favor of the passage of the same with the following amendment :

In line 5, before the word "veterinary" insert the words "duly licensed."

W. C. PRESCOTT,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Prescott, from the committee on codes, to which was referred the Senate bill introduced by Mr. Stapleton, Rec. No. 362, entitled "An act to amend section 130 of the Penal Code," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hobbie, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 350, entitled "An act to amend the insurance law," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Butts, Int. No. 1468, entitled "An act to change the name of the Home Benefit Society," reported in favor of the passage of the same

without amendment, which report was agreed to, and said bill placed on the order of third reading.

Mr. Messiter, from the committee on internal affairs, to to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 170, entitled "An act to compensate the board of supervisors of Westchester county," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Butts, said bill was made a special order for Tuesday morning next at 12 o'clock for second and third readings.

Pursuant to previous notice, Mr. Gerst moved to suspend rules 3, 13, 15, 26, 28, 32, 35, 52 and 60 of the Assembly for the purpose of moving to discharge the committee on electricity, gas and water supply from the further consideration of the bill (No. 875) entitled "An act to regulate telephone charges in the State of New York and to empower certain State officers to revise and regulate the same." (Int. No. 802.)

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 46 }
{ NOES 25 }

Those who voted in the affirmative, were

Brennan	Finnigan	Howe	Reilly	Smith, S.W.
Burtis	Fish	Keck	Robbins	Stewart
Carroll	Friday	Kelsey	Robertson	Taylor
Chambers	Fuller	Kern	Ryder, E.L.	Thompson
Clark, F.E.	Gardiner	Kneeland	Schoepflin	Trainor
Clark, J. H.	Gerst	Lawson	Schulz, F.F.	Vacheron
Conklin	Gould	Lee	Schulz, H	Van Amber
Cutler	Hennessy	Nixon	Seibert	Wells
Douglas	Higbie	Prescott	Sheffield	Whittet
Fairbrother				

Those who voted in the negative, were

Bush	Denniston	Hotaling	McNamee	Scanlon
Cahill	Dinkelspiel	Kerr	Messiter	Schillinger
Cain	Gray	Kerrigan	Plant	Stone
Cassin	Harrigan	Lounsbury	Robinson	Terry, J.F.
Dean	Hoefer	Matthews	Roche	Vehslage

Mr. Keck, from the committee on privileges and elections presented the following report:

To the Honorable Assembly of the State of New York :

Your committee on privileges and elections present the following report in the matter of the contest for a seat in this Assembly, from the Ninth district of Kings county, between George R. Pasfield, contestant, and William E. Melody, contestee.

Your committee, after organization, appointed Messrs. Keck, chairman, Wesley Gould and John Harrigan a subcommittee to make the investigations herein. Said subcommittee attended the hearing from time to time in the city of Brooklyn, both parties hereto appearing in person and by counsel, and heard the evidence presented by both parties, which evidence is on file and to which the committee here make reference.

George F. Elliott, Esq., attorney-at-law, appeared for the contestant, and Messrs. Judge & Durack, attorneys-at-law, appeared for the contestee.

After carefully considering the evidence offered by the respective parties, from which it appears that the election laws were violated in some respects, but not to such an extent as to warrant your committee in acting upon said petition favorably to the contestant; your committee, therefore recommend that the petition of the contestant be dismissed, and that William E. Melody be declared to be the regular representative in and for the Ninth Assembly district of the county of Kings, and entitled to his seat as such in this body.

All which is respectfully submitted.

PHILIP KECK.
E. F. VACHERON.
JAMES R. SHEFFIELD.
J. F. TERRY.
JNO. C. HARRIGAN.
VICTOR J. DOWLING.
HENRY McNAMEE.
WESLEY GOULD.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 55 }
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Dinkelspiel	Kelsey	O'Donnell	Stein
Berry	Douglas	Kerr	O'Grady	Stevens
Brennan	Fairbrother	Kern	Plant	Stewart
Burtis	Finnigan	Kerrigan	Prescott	Stone
Bush	Fish	Kneeland	Reilly	Sulzer
Butts	Foley	La Fetra	Robbins	Taylor
Cahill	Friday	Lawson	Robinson	Terry, C.W.
Callahan	Fuller	Lee	Roche	Terry, J.F.

Carroll	Gould	Loonan	Scanlon	Thornton
Cassin	Gray	Marrin	Schillinger	Tilton
Chambers	Harrigan	Matthews	Schulz, F.F.	Tobin
Clark, F.E.	Hoefer	McDermott	Seibert	Trainor
Conklin	Howe	McKeon	Sheffield	Tuttle
Corrigan	Hoysradt	McNamee	Smith, S.W.	Vacheron
Cutler	Keck	Messiter	Snyder	Van Amber
Davidson	Keenan	Mittnacht	Southworth	Vehslage
Dean	Keleher	Nixon	Stadtfeld	Wells

A communication from the Governor, by the hands of his private secretary, was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 20, 1894.* }

To the Assembly:

Assembly bill No. 885, entitled "An act in relation to the estate of Elizabeth Dean, deceased," is herewith returned without approval.

The bill is an exact copy of chapter 182 of the laws of the present year. The statute books should not be incumbered by two laws identically the same.

ROSWELL P. FLOWER.

On motion of Mr. J. F. Terry, said bill and the accompanying message was laid upon the table.

Also, the following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 20, 1894.* }

To the Assembly:

Assembly bill No. 630, entitled "An act to amend the town law, in relation to town meetings," is herewith returned without approval.

The present law relating to town meetings provides that if necessary a meeting may be continued during the next day by a vote of those present, and may be adjourned to another place not more than a quarter of a mile from the place where it was appointed to be held. This bill would strike out this provision and would require that the meeting shall be held during one day only and no longer. I think the present law is preferable to the proposed amendment. By reason of inclement weather, bad roads or some other cause it may be impossible in some towns to secure a large attendance on the day fixed for the town meeting, and it would seem to be only reasonable that if a majority of those present desire to adjourn the meeting until the next day they should be allowed to do so.

ROSWELL P. FLOWER.

On motion of Mr. Chambers, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 20, 1894 . }

To the Assembly :

Assembly bill No. 1122, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the compensation of laborers or employes in the department of public parks," is herewith returned without approval.

The park commissioners of the city of New York have now authority to fix the compensation of laborers or employes at such amount as may seem to them just. This bill would limit their authority to fix compensation at more than two dollars a day. I do not think it a wise or necessary measure.

ROSWELL P. FLOWER.

On motion of Mr. Tobin, said bill and the accompanying message were laid upon the table.

Mr. Keck, from the committee on privileges and elections, presented the following report :

To the Honorable Assembly of the State of New York :

Your committee on privileges and elections present the following report in the matter of the contest for a seat in this Assembly from the Twelfth district of Kings county, between Thomas W. Campbell, contestant, and Joseph F. Loonan, contestee.

Your committee, after organization, appointed Mr. Philip Keck, chairman, Wesley Gould and John Harrigan a subcommittee, to make the investigations herein. They attended the several hearings in the city of Brooklyn, both parties appearing with counsel, and heard the evidence presented by both parties, which evidence is on file, and to which the committee here make reference: Stephen H. Hoyer, Esq., attorney-at-law, appeared for the contestant, and Thomas F. Magner, Esq., attorney-at-law, appeared for the contestee.

After fully considering the evidence offered by the respective parties, your committee recommend that the petition of the contestant be dismissed, for the reason that no sufficient, proper and legal evidence has been presented by the contestant to warrant favorable action thereon; and your committee further recommend that the contestee, Joseph F. Loonan, be declared entitled to

hold his seat in this body as the regular representative for the Twelfth Assembly district of the county of Kings.

All of which is respectfully submitted.

E. F. VACHERON.
 PHILIP KECK.
 JAMES R. SHEFFIELD
 J. F. TERRY.
 JNO. C. HARRIGAN.
 VICTOR J. DOWLING.
 HENRY McNAMEE.
 WESLEY GOULD.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

On motion of Mr. Chambers, the time for the committee on affairs of villages to make reports was extended to Wednesday, April 25.

Mr. Taylor, from the committee on public health, to which was referred the bill introduced by Mr. Lawson, Int. No. 93, entitled "An act to promote and encourage a faithful and efficient service in the prevention of contagious and infectious diseases and to provide for a health department pension fund in the city of New York," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Taylor, and by unanimous consent, said bill referred to the committee on rules.

Mr. O'Grady, from the committee on public education, to which was referred the Senate bill introduced by Mr. O'Connor, Rec. No. 259, entitled "An act to amend chapter 30 of the Laws of 1884, entitled 'An act in relation to the study of physiology and hygiene in the public schools,'" reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was referred to the committee on rules.

Mr. O'Grady, from the committee on public education, to which was referred the Senate bill introduced by Mr. Pound, Rec. No. 320, entitled "An act to provide for the compulsory education of children," reported in favor of the passage of the same, with the following amendment:

"§ 13. This chapter shall be known as title 16 of the 'Consolidated School Law.'"

JAMES M. E. O'GRADY,

Chairman.

Which report was agreed to.

On motion of Mr. Ainsworth, said bill was referred to the committee on rules.

Mr. O'Grady, from the committee on public education, to which was recommitted the bill introduced by Mr. Bush, Int. No. 1451, entitled "An act to revise, amend and consolidate the general acts relating to public instruction," reported in favor of the passage of the same, with the following amendments:

Page 3, line 5, strike out the word "therein" and insert the words "at meetings."

Page 4, line 1, strike out "title 9" and insert "title 10."

Same page, line 3, strike out "title 10" and insert "title 11."

Same page, line 5, strike out "title 11" and insert "title 12."

Same page, line 7, strike out "title 12" and insert "title 9."

Same page, line 22, strike out the word "frequent."

Page 5, line 1, strike out the word "section" and insert the word "article."

Page 6, line 4, after the word "dollars" insert the words "payable monthly by the treasurer on the warrant of the Comptroller."

Same page, line 26, strike out the word "original" and insert the word "originals."

Page 14, line 25, strike out the word "his."

Page 23, line 11, after the word "county" insert a comma.

Same page, line 12, after the word "thereof" insert a comma.

Same page, line 13, after the word "town," second occurring, insert a comma.

Page 32, line 18, after the word "county" insert a comma.

Page 34, line 24, strike out the word "the" and insert the letter "a."

Page 38, line 23, after the word "examine" insert a comma.

Page 42, line 15, strike out the words "notice in the next section mentioned" and insert the words "date of such order."

Page 45, line 17, strike out the word "deliver" and insert the word "delivered."

Page 52, line 14, strike out the words "his office" and insert the words "their offices."

Same page, line 25, strike out the semicolon.

Page 53, line 11, after the word "district" insert a comma.

Page 63, line 9, strike out the word "and."

Page 65, line 18, strike out the word "district," and after the word "clerk" insert the word "treasurer."

Page 70, line 26, strike out the word "county" and insert the word "district."

Page 76, line 17, strike out the word "district" and insert the word "supervisor."

Page 82, line 7, change the word "heir" to the word "their."

Page 84, lines 6 and 7, change the word "district" to the word "school."

Page 99, line 2, strike out the word "therein" and insert the words "at meetings."

Page 123, line 15, change the word "academical" to the word "academic."

Same page, line 17, correctly spell the word "academies."

Page 128, lines 4, 18 and 24, change the words "academical" to the words "academic."

Page 129, line 1, change the word "academical" to the word "academic."

Page 135, line 1, change title 9 to title 10.

Page 140, line 1, change title 10 to title 11.

Page 142, line 14, correctly spell the word "under."

Same page, line 19, change title 11 to title 12.

Page 146, line 11, change title 12 to title 9.

Page 149, at the end of line 6 insert the following:

"Library moneys shall be apportioned to the school districts and parts of school districts joint with parts in any city or in any adjoining county which shall be entitled to participate therein as follows: To each of said districts an amount equal to that which shall have been raised in said district for library purposes, either by tax or otherwise; and if the aggregate amount so raised in the districts within the county shall exceed the sum apportioned to the county, the said districts respectively shall be entitled to participate in such apportionment pro rata to the total amount apportioned to the county. All school library moneys apportioned by school commissioners and remaining in the hands of county treasurers shall in each succeeding year be added to the school library money apportioned by the superintendent of public instruction to the counties of the State."

Page 158, line 8, strike out the word "frequent."

Same page, line 14, strike out the words "or union free."

Page 170, line 25, strike out the word "and," and after the word "Richmond" insert the words "Westchester, Putnam and Rockland."

Page 176, line 17, strike out "281" and insert "291."

Page 177, between lines 4 and 5, insert the following: "1888 — 533 — All."

Same page, line 7, strike out entire line.

Same page, after line 26, insert the following: "1894 — 229 — All."

JAMES M. E. O'GRADY,

Chairman.

Which report was agreed to, and said bill restored to its place on the order of third reading.

On motion of Mr. Bush, said bill was made a special order

immediately after the consideration of the other special orders Monday evening.

On motion of Mr. Seibert, Senate bill No. 963, entitled "An act to authorize the common council of the city of Buffalo to transfer Front avenue to the board of park commissioners as a park approach" (Rec. No. 455), was substituted for Assembly bill No. 1594, Int. No. 1374, same title and subject, now on the order of third reading.

Mr. Stone, from the committee on claims, to which was referred the bill introduced by Mr. Foley, Int. No. 1463, entitled "An act relating to the jurisdiction of the Board of Claims," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Foley, said bill was laid aside.

Mr. Stone, from the committee on claims, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 368, entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claim of Patrick Gawkins, and the claims of the estate of Giles Hawley, deceased, against the State," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Speaker announced the special orders for the day.

Mr. Kneeland called up the bill (No. 1666) entitled "An act to amend the Code of Civil Procedure relating to attachments." (Int. No. 1430.)

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	86	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Myers	Stadtfeld
Babcock	Dowling	Keck	Nixon	Stein
Baker	Eldredge	Keleher	O'Grady	Stevens
Braun	Fairbrother	Kelsey	Prescott	Stewart
Brennan	Fish	Kern	Rider, J.J.	Stone
Brownell	Foley	Kerrigan	Robbins	Sulzer

Bush	Friday	Kneeland	Robertson	Taylor
Butts	Fuller	Lasch	Robson	Terry, J.F.
Callahan	Gardiner	Lawson	Roche	Thompson
Carroll	Glenn	Lee	Ryder, E.L.	Thornton
Chambers	Gould	Loonan	Schoepflin	Tilton
Clark, F.E.	Hennessy	Marrin	Schulz, F.F.	Tuttle
Clark, J. H.	Herrman	McDermott	Seibert	Vacheron
Conklin	Higbie	McNamee	Sheffield	Van Amber
Coughlin	Hoefer	Melody	Smith, M.F.	Wells
Cutler	Hotaling	Messiter	Smith, S.W.	Wieman
Davidson	Houghton	Mitnacht	Snyder	Wray
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth moved that the following bills which were made a special order for 12 o'clock to-day, be made a special order for Monday evening next immediately after the reading of the journal :

"An act to amend section 1384 of the Code of Civil Procedure, relating to executions." (No. 1708, Int. No. 1466.)

"An act to incorporate the Equitable Securities Company." (No. 1695, Int. No. 1459.)

"An act to abolish imprisonment in civil actions and to provide for the punishment of certain frauds." (No. 1665, Int. No. 1429.)

"An act to provide for the discharge of an insolvent from his debts." (No. 1667, Int. No. 1431.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 964) entitled "An act to provide the village of Lansingburgh with a police station house, and to issue bonds therefor" (Rec. No. 366), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Nixon	Stadtfeld
Babcock	Denniston	Howe	Parkhurst	Stein
Baker	Douglas	Keck	Porter	Stevens

Braun	Dowling	Keleher	Prescott	Stewart
Brennan	Eldredge	Kelsey	Rider, J.J.	Stone
Burtis	Fairbrother	Kern	Robbins	Taylor
Bush	Fish	Kneeland	Robinson	Terry, C.W.
Butts	Friday	La Fetra	Robson	Terry, J.F.
Callahan	Fuller	Lawson	Roche	Thompson
Carroll	Gardiner	Lee	Scanlon	Thornton
Cassin	Glenn	Lounsbury	Schoepflin	Tilton
Chambers	Gray	Marrin	Schulz, F.F.	Tuttle
Clark, F.E.	Herrman	Matthews	Schulz, H	Van Amber
Clark, J. H.	Higbie	McNamee	Sheffield	Wells
Conklin	Hobbie	Melody	Smith, M.F.	Whittet
Coughlin	Hoefer	Mittnacht	Smith, S.W.	Wilcox
Cutler	Horton	Myers	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Sheffield gave notice that at some future day he would move to suspend Assembly rules 3, 15, 16, 17, 28, 29 and 49, for the purpose of reading out of its order Assembly bill No. 1456, entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1210), now on the order of third reading.

Mr. Fuller moved that the bill (No. 1472) entitled "An act to revise the charter of the city of Watertown" (Int. No. 1200), be made a special order for 1 o'clock p. m.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1389) entitled "An act to provide for the assessment and collection of the expense of removal of snow and ice from the sidewalks of public streets and avenues in the city of New York" (Int. No. 1233), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	O'Grady	Stein
Babcock	Denniston	Howe	Parkhurst	Stevens
Baker	Dowling	Keck	Porter	Stewart

Berry	Eldredge	Keleher	Prescott	Stone
Braun	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Brennan	Fish	Kern	Robbins	Terry, C.W.
Brownell	Foley	Kneeland	Robertson	Terry, J.F.
Bush	Friday	Lasch	Robson	Thompson
Butts	Fuller	Lawson	Roche	Thornton
Cain	Gardiner	Lounsbury	Scanlon	Tilton
Carroll	Glenn	Marrin	Schoepflin	Trainor
Chambers	Gould	Matthews	Schulz, F.F.	Tuttle
Clark, F.E.	Herrman	McKeon	Seibert	Van Amber
Clark, J. H.	Higbie	McNamee	Sheffield	Wells
Conklin	Hobbie	Messiter	Smith, S.W.	Whittet
Coughlin	Hoefler	Myers	Snyder	Wilcox
Cutler	Horton	Nixon	Stadtfeld	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1168) entitled "An act to repeal chapter 353 of the Laws of 1893, entitled 'An act for the preservation of the public peace, the protection of private property, maintenance of law and order, the licensing of public hacks, vehicles, venders, shows, concerts and public amusements in the town of Flatlands, in the county of Kings'" (Int. No. 1035), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Nixon	Stadtfeld
Babcock	Denniston	Keck	Parkhurst	Stein
Baker	Douglas	Keenan	Porter	Stewart
Berry	Dowling	Kelsey	Prescott	Stone
Brennan	Fairbrother	Kerr	Rider, J.J.	Sulzer
Brownell	Fish	Kern	Robbins	Taylor
Burtis	Foley	Kerrigan	Robertson	Terry, C W.
Bush	Friday	Keeland	Robson	Thompson
Butts	Gardiner	La Petra	Roche	Thornton
Cain	Gerst	Lawson	Scanlon	Tobin
Callahan	Glenn	Lounsbury	Schoepflin	Tuttle
Cassin	Gray	Marrin	Schulz, H	Van Amber
Chambers	Hennessy	Matthews	Seibert	Wells

Clark, J. H.	Herrman	McNamee	Sherwood	Whittet
Conklin	Higbie	Melody	Smith, M.F.	Wilcox
Coughlin	Hoefer	Mittnacht	Smith, S.W.	Wray
Davidson	Hotaling	Myers	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1558) entitled "An act to amend chapter 487 of the Laws of 1889, entitled 'An act to amend chapter 314 of the Laws of 1858, entitled An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes'" (Int. No. 1361), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Nixon	Stadtfeld
Babcock	Dinkelspiel	Hoysradt	O'Grady	Stein
Baker	Dowling	Keck	Prescott	Stevens
Braun	Eldredge	Keleher	Reilly	Stewart
Brownell	Fairbrother	Kelsey	Rider, J.J.	Stone
Burtis	Finnigan	Kerr	Robbins	Sulzer
Bush	Fish	Kern	Robertson	Taylor
Butts	Foley	Kneeland	Robson	Terry, J.F.
Cain	Fuller	La Fetra	Scanlon	Thompson
Callahan	Gardiner	Lawson	Schillinger	Thornton
Carroll	Glenn	Lounsbury	Schoepflin	Trainor
Chambers	Gray	Marrin	Schulz, H	Tuttle
Clark, F.E.	Herrman	Matthews	Seibert	Vacheron
Clark, J. H.	Higbie	McKeon	Sherwood	Van Amber
Conklin	Hobbie	Melody	Smith, M.F.	Wells
Coughlin	Hoefer	Messiter	Smith, S.W.	Whittet
Cutler	Horton	Myers	Snyder	Wilcox
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1472) entitled "An act to revise the charter of the city of Watertown" (Int. No. 1200), was read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Hotaling	O'Grady	Stein
Babcock	Davidson	Howe	Plant	Stevens
Baker	Denniston	Keck	Porter	Stewart
Berry	Dinkelspiel	Keleher	Prescott	Stone
Braun	Dowling	Kelsey	Rider, J.J.	Sulzer
Brownell	Fairbrother	Kern	Robbins	Taylor
Burtis	Fish	Kneeland	Robson	Terry, J.F.
Bush	Foley	La Petra	Ryder, E.L.	Thompson
Burts	Friday	Lawson	Scanlon	Thornton
Callahan	Fuller	Lee	Schoepflin	Trainor
Carroll	Gardiner	Marrin	Schulz, F.F.	Tuttle
Chambers	Glenn	Matthews	Schulz, H	Van Amber
Chapman	Harrigan	McKeon	Seibert	Wells
Clark, F.E.	Herrman	McNamee	Sheffield	Whittet
Clark, J. H.	Higbie	Messiter	Smith, M.F.	Wieman
Conklin	Hobbie	Myers	Smith, S.W.	Wray
Coughlin	Horton	Nixon	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1546) entitled "An act authorizing the improvement and repairs of the Rocky Rift feeder and dam in the Mohawk river and making appropriation therefor" (Int. No. 1359), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Hoefler	Myers	Stadtfeld
Babcock	Davidson	Hotaling	Nixon	Stein
Baker	Dean	Howe	O'Grady	Stevens
Berry	Denniston	Hoysradt	Plant	Stone
Braun	Dinkelspiel	Keenan	Prescott	Sulzer
Brennan	Dowling	Keleher	Rider, J.J.	Taylor

Brownell	Eldredge	Kelsey	Robbins	Terry, C.W
Burtis	Fairbrother	Kern	Robertson	Thompson
Bush	Fish	Kerrigan	Robson	Thornton
Butts	Friday	Kneeland	Roche	Tobin
Cain	Fuller	La Fetra	Scanlon	Trainor
Callahan	Gardiner	Lawson	Schoepflin	Tuttle
Carroll	Gerst	Lee	Schulz, F.F.	Vacheron
Cassin	Glenn	Loonan	Schulz, H	Van Amber
Chambers	Gray	Marrin	Seibert	Wells
Clark, F.E.	Hennessy	Matthews	Sherwood	Whittet
Clark, J. H.	Herrman	McKeon	Smith, S.W.	Wilcox
Conklin	Higbie	McNamee	Snyder	Wyckoff
Coughlin	Hobbie	Messiter		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1503) entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of school-houses and the payment of debts contracted for the purchase of land for school purposes" (Int. No. 1302), having been announced for a third reading,

On motion of Mr. Wells, said bill was laid aside.

The bill (No. 1505) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city'" (Int. No. 1304), having been announced for a third reading,

On motion of Mr. Wells, said bill was laid aside.

The bill (No. 1446) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport'" (Int. No. 1268), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Nixon	Snyder
Babcock	Denniston	Hotaling	O'Grady	Stadtfeld
Baker	Dinkelspiel	Howe	Plant	Stein
Berry	Dowling	Keck	Porter	Stewart
Braun	Eldredge	Keenan	Prescott	Stone

Brownell	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Burtis	Finnigan	Kern	Robertson	Taylor
Bush	Fish	Kerrigan	Robson	Terry, J.F.
Butts	Friday	Kneeland	Roche	Thompson
Cahill	Fuller	Lasch	Scanlon	Thornton
Callahan	Gardiner	Lawson	Schoepflin	Tobin
Carroll	Glenn	Lee	Schulz, F.F.	Trainor
Chambers	Gould	Marrin	Schulz, H	Vacheron
Chapman	Gray	Matthews	Seibert	Van Amber
Clark, F.E.	Herrman	McKeon	Sheffield	Wells
Clark, J. H.	Higbie	Melody	Sherwood	Whittet
Conklin	Hobbie	Messiter	Smith, M.F.	Wilcox
Coughlin	Hoefler	Mittnacht	Smith, S.W.	Wyckoff
Cutler				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 878) entitled "An act making an appropriation for repairing the culvert under the Oswego canal at Mud creek, in the first ward of Syracuse, and for deepening the bed and walling the banks of the creek from the culvert to Onondaga lake" (Int. No. 807), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Messiter	Smith, S.W.
Babcock	Dinkelspiel	Hotaling	Mittnacht	Snyder
Baker	Dowling	Houghton	Nixon	Stadtfeld
Braun	Eldredge	Howe	O'Grady	Stein
Brennan	Fairbrother	Keck	Plant	Stewart
Burtis	Finnigan	Keleher	Prescott	Stone
Bush	Fish	Kelsey	Rider, J.J.	Sulzer
Butts	Foley	Kern	Robbins	Taylor
Callahan	Friday	Kerrigan	Robertson	Terry, J.F.
Carroll	Fuller	Kneeland	Robson	Thompson
Cassin	Gardiner	Lasch	Roche	Tilton
Chapman	Gleason	Lawson	Scanlon	Trainor
Clark, F.E.	Glenn	Lounsbury	Schoepflin	Tuttle
Clark, J. H.	Gray	Loonan	Schulz, F.F.	Van Amber
Conklin	Hennessy	Marrin	Seibert	Wells

Coughlin	Herrman	Matthews	Sheffield	Whittet
Cutler	Higbie	McKeon	Sherwood	Wilcox
Davidson	Hoefler	Melody	Smith, M. F.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1300) entitled "An act to amend the Revised Statutes, relating to temporary relief of the poor" (Int. No. 1141), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Houghton	Nixon	Stein
Babcock	Denniston	Howe	O'Grady	Stevens
Baker	Dinkelspiel	Keck	Plant	Stewart
Berry	Dowling	Keleher	Prescott	Sulzer
Braun	Eldredge	Kelsey	Rider, J.J.	Taylor
Brownell	Fairbrother	Kern	Robbins	Terry, J.F.
Burtis	Finnigan	Kerrigan	Robertson	Thompson
Bush	Fish	Kneeland	Robson	Thornton
Butts	Foley	Lasch	Ryder, E.L.	Tilton
Cain	Fuller	Lawson	Scanlon	Trainor
Callahan	Gardiner	Lee	Schoepflin	Vacheron
Carroll	Glenn	Marrix	Schulz, H	Van Amber
Chambers	Gray	Matthews	Seibert	Vehslage
Clark, F.E.	Hennessy	McKeon	Sheffield	Wells
Clark, J. H.	Herrman	McNamee	Smith, M.F.	Wieman
Conklin	Hobbie	Melody	Smith, S.W.	Wray
Coughlin	Hoefler	Messiter	Snyder	Wyckoff
Cutler	Hotaling	Myers	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1272) entitled "An act to amend chapter 602 of the Laws of 1892, entitled 'An act to secure the registration of plumbers and supervision of plumbing and drainage in the cities of the State of New York'" (Int. No. 569), having been announced for a third reading,

On motion of Mr. Lawson, said bill was laid aside.

The bill (No. 1315) entitled "An act to prohibit the killing,

wounding, catching and pursuit of wild animals, wild birds and fish, and attempts thereat in the State of New York by persons not citizens of the United States, without a license therefor" (Int. No. 1159), having been announced for a third reading,

On motion of Mr. Baker, said bill was laid aside.

The bill (No. 1258) entitled "An act to amend the county law, relating to salary of the county judge of Montgomery" (Int. No. 1126), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	88	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Plant	Stein
Babcock	Dinkelspiel	Keleher	Prescott	Stevens
Baker	Dowling	Kelsey	Rider, J.J.	Stone
Braun	Eldredge	Kerr	Robbins	Sulzer
Brennan	Fairbrother	Kern	Robertson	Terry, C.W.
Brownell	Fish	Kneeland	Robson	Terry, J.F.
Burtis	Foley	La Fetra	Roche	Thompson
Bush	Friday	Lawson	Scanlon	Thornton
Butts	Fuller	Lee	Schillinger	Tilton
Cain	Gardiner	Lounsbury	Schoepflin	Trainor
Carroll	Glenn	Marrin	Schulz, H	Tuttle
Cassin	Gray	Matthews	Seibert	Vacheron
Chapman	Herrman	McKeon	Sherwood	Van Amber
Clark, J. H.	Higbie	Melody	Smith, M.F.	Whittet
Conklin	Hoefler	Messiter	Smith, S.W.	Wieman
Coughlin	Horton	Myers	Snyder	Wray
Cutler	Hotaling	Nixon	Stadtfeld	Wyckoff
Dean	Howe	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill No. 1584) entitled "An act to amend the Code of Civil Procedure, relating to the granting of attachments in certain actions" (Int. No. 1346), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	75	}
{ NOES	7	}

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kelsey	Nixon	Smith, S.W.
Baker	Fairbrother	Kerr	O'Donnell	Stadtfeld
Brownell	Fish	Kerrigan	O'Grady	Stein
Burtis	Foley	Kneeland	Plant	Sulzer
Cassin	Friday	Lasch	Prescott	Taylor
Chambers	Fuller	Lawson	Reilly	Terry, C.W.
Chapman	Gardiner	Lee	Robbins	Terry, J.F.
Clark, J. H.	Glenn	Lounsbury	Robertson	Thornton
Corrigan	Gould	Loonan	Robinson	Trainor
Cutler	Gray	Marrin	Robson	Vacheron
Dean	Hennessy	Matthews	Roche	Van Amber
Denniston	Herrman	McKeon	Scanlon	Vehslage
Dinkelspiel	Hobbie	Melody	Schoepflin	Wells
Douglas	Howe	Messiter	Schulz, F.F.	Wyckoff
Dowling	Keck	Myers	Sheffield	Speaker

Those who voted in the negative, were

Butts	Cain	Finnigan	Keleher	La Fetra
Cahill	Carroll			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1060) entitled "An act conferring jurisdiction upon the Board of Claims to hear and determine the claims of Milton B. Jarvis against the State of New York, and to make an award therefor" (Int. No. 949), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	85	}
{ NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Davidson	Horton	Myers	Snyder
Babcock	Denniston	Howe	Nixon	Stadtfeld
Baker	Dinkelspiel	Keck	O'Grady	Stein
Berry	Douglas	Keenan	Plant	Stevens
Braun	Eldredge	Kelsey	Prescott	Stone
Brownell	Fairbrother	Kerr	Rider, J.J.	Sulzer
Burtis	Finnigan	Kern	Robbins	Taylor
Bush	Fish	Kerrigan	Robertson	Terry, C.W.

Butts	Foley	Kneeland	Robson	Thompson
Callahan	Friday	La Fetra	Roche	Thornton
Carroll	Gardiner	Lawson	Scanlon	Tobin
Chambers	Glenn	Lee	Schoepflin	Tuttle
Chapman	Gould	Loonan	Schulz, H	Van Amber
Clark, J. H.	Hennessy	Marrin	Seibert	Wells
Conklin	Herrman	McDermott	Sheffield	Whittet
Coughlin	Higbie	Melody	Sherwood	Wilcox
Cutler	Hocfler	Messiter	Smith, M.F.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Ainsworth, the House adjourned.

MONDAY, APRIL 23, 1894.

The House met pursuant to adjournment.

Prayer by Rev. William F. O'Connor.

On motion of Mr. Sulzer, the journal of Friday, April 20, was approved without being read.

The Senate returned the bill (No. 640) entitled "An act making an appropriation for the payment of the actual expenses of travel incurred in the performance of their duty by the State Game and Fish Protectors, while engaged in the discharge of their duties" (Int. No. 603), with a message that they have concurred in the passage of the same with the following amendment:

Section 1, line 3, after the word "warrant" insert the words "and audit."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	72	}
{	NOES	2	}

Those who voted in the affirmative, were

Ainsworth	Cutler	Hoysradt	Rider, J.J.	Terry, C.W.
Babcock	Davidson	Keck	Robertson	Terry, J.F.
Baker	Dinkelspiel	Keenan	Robinson	Thompson
Berry	Douglas	Keleher	Robson	Thornton
Brennan	Dowling	Kelsey	Roche	Tilton

Brownell	Eldredge	Kern	Schillinger	Tobin
Burtis	Fuller	Lawson	Schoepffin	Tuttle
Butts	Gleason	Loonan	Schulz, F.F.	Vacheron
Cahill	Gould	Marrin	Seibert	Van Amber
Cain	Herrman	Myers	Smith, S.W.	Wells
Carroll	Higbie	Nixon	Southworth	Whittet
Chambers	Hobbie	O'Grady	Stadtfeld	Wieman
Chapman	Hoefer	Parkhurst	Stevens	Wilcox
Clark, J. H.	Horton	Porter	Stone	Wyckoff
Corrigan	Houghton	Prescott	Sulzer	Speaker
Coughlin	Howe			

Those who voted in the negative, were

Fairbrother Ryder, E.L.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bills :

"An act providing for the construction of a dam on the Genesee river for purposes of the Erie canal, and for restoring to the owners of water power on the Genesee river the water diverted by the State for canal purposes" (No. 94, Rec. No. 370), which was read the first time.

Mr. O'Grady moved that said bill be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to authorize and provide for the construction of tunnel under Newtown creek, for the purpose of public travel between the counties of Kings and Queens" (No. 561, Int. No. 401), was read the first time.

On motion of Mr. Sulzer, said bill was referred to the committee on rules.

The Senate returned the Senate bill (No. 652) entitled "An act relating to the construction of a viaduct over the railroad tracks when the same intersect the line of Chenango street in the city of Binghamton" (Rec. No. 296), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills :

"An act to authorize the city of Brooklyn to construct public piers at the foot of North Seventh street, in the city of Brooklyn,

and to acquire land necessary for the same, and to provide for the payment therefor." (No. 157, Int. No. 163.)

"An act to amend the public health law, and making an appropriation to carry out the provisions thereof." (No. 401, Int. No. 31.)

"An act to amend the charter of the city of Ithaca." (No. 64, Int. No. 67.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provision for the celebration of Memorial day, including the year 1893.'" (No. 1208, Int. No. 1116.)

"An act authorizing the construction of a wrought-iron bridge over the Erie canal at Griffith street in the city of Rochester, and making an appropriation therefor." (No. 129, Int. No. 135.)

"An act to amend the Code of Civil Procedure, relating to physical examination of plaintiff by physicians of the same sex." (No. 924, Int. No. 843.)

"An act releasing from assessments heretofore levied on certain real estate of the Manhattan Hospital Association of the city of New York." (No. 1276, Int. No. 859.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 551) entitled "An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York'" (Int. No. 517), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read in the words following:

Resolved, That a respectful message be sent to the Assembly, requesting the return to the Senate of Senate bill No. 994, entitled "An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law and to incur an indebtedness for the grading, macadamizing and improving of highways in said town" (Rec. No. 391), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read in the words following :

IN SENATE, *April 20, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 325) entitled "An act providing for the formation, management and supervision of co-operative savings and loan associations." (Int. No. 126.)

The vote on the final passage of said bill having been reconsidered,

On motion of Mr. Persons, and by unanimous consent, said bill was amended by substituting the following therefor :

AN Act to amend chapter 689 of the Laws of 1892, entitled "An act in relation to banking corporations," and providing for the formation, management and supervision of co-operative savings and loan associations.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. Article five of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two is hereby amended so as to read as follows:

§ 170. Any fifteen or more persons of full age and residents of the state of New York, may form an association as provided in this act. All associations formed under the provisions hereof shall be known as co-operative savings and loan associations; and the name of every association so formed shall contain as a part thereof the words "co-operative savings and loan association."

§ 171. The object and purpose of such associations shall be to encourage industry, frugality, home-building and savings among its members; the accumulation of savings, the loaning of such accumulations to its members and the repayment to each member of his savings when they have accumulated to a certain sum, or at any time when he shall desire the same, or the association shall desire to repay the same.

§ 172. Said association shall become incorporated by the said fifteen or more persons making, signing and acknowledging, in the manner and form prescribed for the acknowledgment of deeds in this state, a certificate, wherein shall be stated the name of said association; that the association is formed under and for the purpose prescribed in this act; the town, village or city where the association is located within this state. When made as aforesaid, said certificate shall be filed and recorded in the office of the superintendent of banks, and upon said certificate being so filed and recorded, the superintendent of

banks shall upon the payment of a fee of one dollar therefor, issue a certificate, in proper and suitable form, declaring the facts contained in said original certificate, and the filing and recording thereof in his office, and which latter certificate shall thereupon be recorded in the county clerk's office of the county where said association is located; and upon the same being so recorded, the persons named in the certificate first above mentioned, their associates and successors shall become a corporate body with power to adopt by-laws relating to the manner of conducting their business not inconsistent with the provisions of this act. A copy of which by-laws and all subsequent amendments thereof shall be filed with the superintendent of banks within thirty days of their adoption.

§ 173. The officers of the association shall consist of a board of directors of not less than thirteen members, including therein a president, vice-president, secretary and treasurer. Said last named officers shall be elected annually by the shareholders or by and from the board of directors, and the other members of the board, or not less than one-third thereof, shall be elected annually, as the by-laws shall determine. Other officers may be authorized by the by-laws, subject to the restrictions hereinafter contained. The duties and compensation of the officers, their terms of office, the time of their election, the manner of filling vacancies, the time of the periodical meetings of the officers and shareholders, the manner of calling special meetings and the manner of voting, shall be determined by the by-laws, except that the board of directors shall fix each year the compensation of the secretary and treasurer, unless otherwise determined by the by-laws; and provided, further, that no officer, agent or other person shall receive compensation by salary, fees, expenses or otherwise for soliciting the sale of shares of the association to any person or persons. All officers named in this act shall hold office until their successors are duly elected and assume the duties of their offices. No association shall expire from neglect to elect officers at the time prescribed in its by-laws.

§ 174. The capital of said association shall consist of the accumulated savings of its members which it holds, and shall be divided into shares of a matured value of not less than fifty dollars nor more than two hundred and fifty dollars, as shall be fixed by the by-laws. The shares shall be issued in series, or at any time, as the by-laws shall determine. No shares of a prior series shall be issued after the issuing of shares in a new series when issued upon the serial plan, except additional shares to a borrowing member to complete a loan. Shares which have not been pledged as a security for the payment of a loan shall be called "free shares." Shares that have been so pledged shall be called

"pledged shares." Each association shall determine by its by-laws the number of shares that may be held by one person.

§ 175. Regular payments made to the association upon shares shall be called "dues." At or before each stated meeting of the board of directors, or at any stated meeting for receiving dues, each shareholder shall pay to the board, or a committee thereof, or some officer of the association, as designated by the by-laws, upon each share held by him, such amount of dues as the by-laws require until the share of stock reaches its matured value, or is withdrawn, canceled or forfeited. Payment of dues on shares in each series shall commence from the time that shares began to be issued in such series, when issued upon the serial plan, and, when not issued in series, from the date of issuing. The association shall have the power to impose and collect a fine from each shareholder for every neglect or refusal to make his payment of dues, interest or premiums when due, in such sums and in such manner as its by-laws determine. The association shall also have power to charge an entrance fee upon each share issued, not exceeding twenty-five cents on each share, or, in lieu thereof, a membership fee not exceeding one dollar. Payments of dues, interest or premium may be made in advance, but no association shall allow interest on such advance payments at a greater rate than six per centum per annum, nor for a longer period than one year.

§ 176. The accumulations upon free shares may be withdrawn, and the shares canceled, after one month's written notice of such intention, filed with the secretary at or before a stated meeting of the board, but the directors may waive such one month's notice. If filed before such meeting the one month's notice shall not be deemed to have commenced until the first regular meeting after the filing. The withdrawing shareholder shall be paid the amount of the withdrawal value of his accumulations, as determined under the by-laws, at the last distribution of profits before the notice of withdrawal, together with all dues paid since such distribution, and with or without such interest on the value of the shares at the time of the last distribution, and on the dues thereafter paid, as the by-laws shall determine, less any fines unpaid and a proportionate share of any unadjusted loss; provided, that at no time shall more than one-half the receipts of the association, and when the association is indebted upon matured shares no more than one-third, shall be applicable to the payment of withdrawing shareholders, without the consent of the board of directors; and when the demands of the withdrawing shareholders exceed the money applicable to their payment, they shall be paid in the order in which their notices of withdrawal

were filed with the secretary. The board of directors may, at their discretion, under rules made by them, retire the free shares at any time after four years from the date of their issue, by enforcing withdrawals of the same; provided, that the shareholders, whose shares are to be retired, shall be determined by lot, and that they shall be paid the full value of their shares, less all fines and proportionate part of any unadjusted loss.

§ 177. When each free share reaches its matured value all payments of dues thereon shall cease, and the holder thereof shall be paid out of the funds of the association, the matured value thereof with such rate of interest as shall be determined by the by-laws, from the time the board of directors shall declare such shares to have matured until paid; but at no time shall more than one-third of the receipts of the association be applicable to the payment of matured shares, without the consent of the board of directors. The order of payment of the matured shares shall be determined by the by-laws.

§ 178. At each stated meeting of the board or a committee thereof, or other meeting, as fixed by the by-laws for the purpose of making loans, they shall offer to members of the association desiring to borrow all accumulations applicable to that purpose; the same shall be loaned in sums corresponding with the value of a matured share, or a multiple thereof, or the fractional part thereof. If there shall be more than one member desiring to borrow, the right to a loan shall be determined by the open bidding of a premium upon one of the three plans following, which each association shall determine for itself by its by-laws, namely:

1. The "gross plan," with or without "rebates," as the by-laws shall determine; that is, the premium shall be bid in the form of a certain sum per share, which shall be paid in cash or deducted from the loan made to the successful bidder.

2. The "installment plan;" that is, the premium shall be bid in the form of a certain sum per share, which the successful bidder will pay at each regular payment of interest, in addition to the interest which the association requires during the continuance of his loan.

3. The "premium interest plan;" that is, the premium shall be bid in the form of the rate of interest the successful bidder will pay upon his loan during the continuance thereof; the association in this plan shall determine the minimum rate of interest at which the bidding shall begin. But such minimum rate shall not exceed the legal rate of interest.

In all these plans the member bidding the highest premium shall be entitled to the loan upon giving the security required therefor, including the interest and premium; the interest and

premiums shall be payable from the date of bidding off the loan, unless otherwise ordered by the by-laws, and in case the sale takes place at an adjourned or special meeting, the same shall be payable from the last preceding regular meeting for the loaning of money unless the by-laws otherwise provide. Requiring and receiving such interest and premiums or any other moneys which the association may require under the provisions of this act, shall not be deemed a violation of the usury law. No member or members shall borrow a larger sum than shall be equal to the matured value of the shares held by him or them, nor shall the association take security upon real estate located more than fifty miles from their principal office for the transaction of their business. A borrowing member, for each share or fractional part thereof borrowed upon, shall in addition to the dues on his shares pay interest and premium, if any, on his loan at such times as the by-laws shall prescribe, until the shares borrowed upon shall reach their matured value or the loan is repaid; and when such matured value is reached the shares shall cancel the loan upon them and the proper surrenders and acquittances be made.

§ 179. For every loan made a bond secured by a first mortgage on real estate, or a second mortgage, when the first mortgage was given to and is held by the association, or when said second mortgage is given in a sum sufficient to cover any first mortgage that may be a lien on the property in addition to the sum advanced by the association, shall be given, accompanied by a transfer and pledge to the association of the shares borrowed upon and all accumulations that have or shall accrue thereon, as collateral security for the repayment of the loan; or, in lieu, of the mortgage, the borrower, or another, may transfer and pledge to the association for the payment of the loan, free shares, the withdrawal value of which under the by-laws at the time of such borrowing, shall exceed the amount borrowed and interest thereon for six months, and all fines that could accrue in case the borrower should default in the payment of the dues upon the shares borrowed upon, but an association may provide by its by-laws that it will not make stock loans. If the borrower neglects to offer security satisfactory to the board of directors, within the time provided by the by-laws, his right to the loan shall be forfeited and he shall be charged with interest and premium, if any, for one month, and all necessary expenses incurred, if any, under the by-laws in reference to the proposed loan. All bonds and mortgages given to the association shall be deemed conditioned upon the performance of the provisions of this act relating to the payment of loans, premiums, interest and fines thereon, and the by-laws of the association, although the same may not be fully

expressed therein. A borrower may repay a loan, and all arrears of interest, premium, if any, and fines thereon (or one or more shares thereof) at any stated meeting or at any time (but the by-laws may otherwise provide); when not made at a stated meeting, he shall pay interest up to the first stated meeting after such payment, or he may, by a proper notice, and directions as to the application, have the withdrawal or holding value of the shares borrowed upon, applied in payment or part payment, as the by-laws shall determine. Should there at any time be money in the treasury not called for by the borrowing or withdrawing members, the board of directors may make temporary loans to members out of the same, at such rate of interest not exceeding six per cent, and under such provisions and restrictions as the by-laws may prescribe. Such temporary loans shall not run more than ninety days and shall be secured by the personal note of the borrower, and also by a pledge of shares to the association, the withdrawal value of which shares shall be at least ten per centum more than the amount of the loan and the interest thereon to its maturity.

§ 180. Whenever any member shall be six months in arrears in the payment of his dues upon free shares, the secretary shall give him notice thereof in writing, and a statement of his arrearages by mailing the same to him at the last post-office address given by him to the association, and if he shall not pay the same within two months thereafter, the board of directors may, at their option, declare his shares forfeited; and at the time of such forfeiture the withdrawal value thereof shall be determined and stated, and the defaulting member shall be entitled to withdraw the same without interest within one year upon such notice as shall be required of a withdrawing shareholder, and upon failure to so withdraw the same, then, and in that case, it may revert to the association.

§ 181. Whenever a borrowing shareholder shall be in arrears in the payment of his dues, interest or premium two months, the whole loan shall become due at the option of the board of directors, and they may proceed to enforce collection upon the securities held by the association. The withdrawal value at the time of the commencement of the action of all shares pledged as collateral security for the loan, shall be applied upon the loan and arrearages of interest, premium and fines thereon, and the shares deemed surrendered to the association.

§ 182. Any association may purchase at any sale, public or private, any real estate upon which it may have a mortgage, judgment-lien or other incumbrance, or in which it may have an interest; and may sell, convey, lease or mortgage the same at pleasure to any person or persons; it may also hold and own real

estate for the purpose of occupying the same with its own business office.

§ 183. Any association organized in pursuance of the provisions of this act may borrow money for the purpose of making loans or paying withdrawals, not exceeding, however, two thousand dollars, so long as its accumulated capital shall not exceed twenty thousand dollars, and when its accumulated capital exceeds that sum, not exceeding ten per cent thereof. No money borrowed shall be for a longer term than one year. Any association having a surplus in its treasury for which there is no demand for loans, withdrawing stockholders, matured or paid-up stock, may loan the same to another association, organized under the provisions of this act, subject to the provisions of this section, on the part of the borrowing association. No association shall borrow or make loans in this section authorized, except by a majority vote of all the members of its board of directors, the vote to be recorded by ayes and nays in its regular minutes.

§ 184. Profits and losses shall be ascertained at least annually, and shall be distributed to all shares outstanding at the time of such distribution, in the manner provided by the by-laws of the association. At each periodical distribution of profits, the board of directors may reserve and carry as undivided profits, in the nature of a contingent fund, any sum from the net profits that in their discretion seems wise.

§ 185. No transfers of shares shall be binding upon the association until the same have been made upon the books of the association; and the transferee thereof shall take the same charged with all the liabilities and conditions attaching thereto in the hands of the one transferring the same. The association may require a "transfer fee," not exceeding twenty-five cents per share, or in lieu thereof a total fee not exceeding one dollar on each transfer.

§ 186. The board of directors shall have the power to appoint and remove, at pleasure, an attorney-at-law for the association. The by-laws of the association may provide for the election of auditors, and prescribe their duties and compensation, and shall provide in what manner the by-laws themselves may be amended. At the time of the adoption of by-laws on the formation of an association, only those members who have joined in the certificate of incorporation are entitled to vote, and each incorporator shall have only one vote.

§ 187. Any person of full age and sound mind may become a member of the association by taking one or more shares therein and subscribing to the by-laws, and annexing to his signature his post-office address; and whenever he desires his post-office

address changed he shall give written notice thereof to the secretary of the association; and for the purpose of giving any member notice, by mail, the last post-office address given by him shall be deemed the proper one. A minor may hold shares in the name of a parent, guardian or next friend, as trustee for him, but the association shall not be responsible to said infant for any moneys received by said trustees on account of said shares from the association. All accumulations upon shares in said association held by any person shall be exempt from execution and proceedings supplementary thereto to the amount of six hundred dollars; and the association itself shall be deemed an institution for savings, and not taxable under any tax law which shall exempt savings banks or institutions for savings from taxation, and shall not be subject to the provisions of chapter one hundred and forty-three of the laws of eighteen hundred and eighty-six, nor shall any law passed hereafter, taxing corporations in any form, be deemed to include associations formed under this act, unless they are specifically named in such law.

§ 188. Every association organized under the provisions of this act or under the provisions of chapter one hundred and twenty-two of the laws of eighteen hundred and fifty-one and the acts amendatory thereof, or under chapter five hundred and fifty-six of the laws of eighteen hundred and eighty-seven, or under articles five and six of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two, shall, annually, on or before the thirtieth day of January, make a full report in writing of the affairs and condition of such corporation on the thirty-first day of December of the next preceding year to the superintendent of banks, in such form and by such officers of the corporation as the said superintendent may designate. Every payment made to an officer or agent of the association, by authority of the association, or by virtue of any provision of its by-laws or articles of association, shall, for the purposes of this section, be deemed a payment to the association and accounted for by it. Such report shall be verified by the oath of the officers making the same, and shall include the receipts of such association from all sources, including membership or share fees, and all other compensation paid to officers or agents by members or persons expecting to become members. Such report shall also include all expenditures made by such association, and for what purpose expended. Every association shall make any further reports which said superintendent of banks shall require, and in such form and as to such matters relating to the condition and conducting of the business of the association, as such superintendent shall designate. Any willful and false

swearing in making and verifying any such report shall be deemed perjury.

§ 189. If any such association shall fail to furnish to the superintendent of banks any report required by this act at the time so required, it shall forfeit the sum of ten dollars per day for every day such report shall be delayed or withheld; and the superintendent of banks may maintain an action in his name or office to recover such penalty and the same shall be paid into the treasury of the state and applied to the expense of the said department, or report the facts to the attorney-general, who may bring an action for recovery in the name of the people of the state of New York; provided, however, that the superintendent may, for good cause shown, extend the time within which such report is to be filed not exceeding twenty days. He shall also annually publish a full report of the condition of all associations formed under the provisions of this act, or under the provisions of any act repealed by this act.

§ 190. All associations organized under the provisions of this act or under the acts specified in section one hundred and eighty-eight of this article shall at all times be subject to visitation and examination by the superintendent of banks, his deputies or duly authorized agents; and he shall examine each of said associations at least once in each year. It shall also be the duty of said superintendent by himself, his deputies or duly authorized agents to make examination of the affairs of any of said associations whenever in the judgment or discretion of said superintendent the annual or any other report made to said department as required in this act shall in any manner indicate or reveal that its business is being conducted in a manner not authorized by its articles of association or by-laws or by the laws of the state of New York under which it is organized or in an irregular or unsafe manner, and when any association shall fail wholly to make the reports required by the provisions of this act, all expenses incurred in making such examination or investigation herein authorized shall be paid from the funds provided by section twenty-five of this act, except the annual examination herein provided for and also excepting examinations made by reason of the business being conducted in a manner not authorized by articles of association or in violation of law or in an irregular or unsafe manner as hereinbefore provided; but no charge shall be made therefor when the examination is made by said superintendent personally or by one of the salaried employes of his department, except for traveling or other necessary expenses, but when made by some person duly appointed by said superintendent other than a salaried

officer of his department, the amount charged shall not exceed the sum of ten dollars per day for the time actually expended in making the examination and reports of same and in getting to and from place of examination and the actual necessary expenses incurred.

§ 191. Each association shall at least annually publish and deliver to each shareholder on application a complete and detailed statement of the financial situation and the business conducted since the issuing of its last prior statement.

§ 192. Chapter one hundred and twenty-two of the laws of eighteen hundred and fifty-one, chapter five hundred and sixty-four of the laws of eighteen hundred and seventy-five, chapter ninety-six of the laws of eighteen hundred and seventy-eight, and chapter five hundred and fifty-six of the laws of eighteen hundred and eighty-seven, and article six of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two are hereby repealed, except as to associations now organized under either of said acts, but such associations shall be subject to the provisions of sections one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety and one hundred and ninety-four of this act.

§ 193. Any association now existing and heretofore incorporated under the provisions of chapter one hundred and twenty-two of the laws of eighteen hundred and fifty-one, and of the acts amendatory thereof, or chapter five hundred and fifty-six of the laws of eighteen hundred and eighty-seven, and articles five and six of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two, may become entitled to the benefits of this act and reincorporate under the provisions in the following manner: First. Upon a majority vote of all the directors so requesting the president and secretary of the association shall call a special meeting of the shareholders to consider and determine the question whether the association shall reincorporate under the provisions of this act. Such notice shall specify the object of such meeting and be mailed postage prepaid, not less than thirty days prior to the date fixed for the meeting, to every shareholder at his last post-office address known to the association. Second. At such meeting a majority vote of those in attendance shall decide all questions considered at the meeting, the vote being by member or by shares, according to the rule already existing in the association. The meeting may be adjourned from time to time if deemed advisable. Third. If the shareholders decide not to reincorporate, another meeting for such purpose shall not be called until one year has passed. Fourth. If the shareholders decide to reincorporate, they shall proceed to adopt by-laws for the association when reincorporated, the voting thereon to be the same as

provided in the foregoing subdivision two, and such by-laws shall be in conformity with the provisions of this act. Fifth. The shareholders having decided to reincorporate, and having adopted by-laws, shall next designate the fifteen or more persons who may make and file the certificate, and have the certificate recorded as provided in the third section of this act. Sixth. Upon the said fifteen or more persons complying with the provisions of said section three, and filing said by-laws with the superintendent of banks, the association shall become fully incorporated under this act. All obligations in favor of the old association at the time of such change shall belong to the new association and be enforceable by it and in its name as fully and completely as the old association might have enforced them if no change had been made, and all demands, claims and rights of action against the old corporation may be enforced against the new corporation as fully and completely as though no change had been made.

§ 194. Superintendent of banks is hereby empowered to levy an assessment upon each association incorporated hereunder or under chapter one hundred and twenty-two of the laws of eighteen hundred and fifty-one and acts amendatory thereof, or chapter five hundred and fifty-six of the laws of eighteen hundred and eighty-seven and articles five and six of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two, for the purpose of defraying the necessary expenses of his department in the supervision of said associations, examination and publication of reports as follows, viz.: Said assessment shall be levied upon said associations in proportion to their assets as shown by the last preceding annual report, and said associations shall pay the same within ten days after notice is given by said superintendent; and in no event shall any portion of said expense be borne by the state.

§ 195. Wherever reference is made in any of the statutes of the state of New York to article five or six and to articles five and six of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two the said reference shall be construed to mean and refer to this article five substituted in place of said articles five and six.

§ 2. All acts and parts of acts inconsistent herewith are hereby repealed.

§ 3. This act shall take effect immediately.

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. O'Grady moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Fairbrother	Keck	Parkhurst	Stevens
Baker	Fish	Keenan	Porter	Stone
Berry	Friday	Keleher	Prescott	Taylor
Brennan	Fuller	Kelsey	Rider, J.J.	Terry, C.W.
Burtis	Gardiner	Kern	Robson	Terry, J.F.
Cahill	Gerst	Kerrigan	Roche	Thornton
Carroll	Glenn	Kneeland	Ryder, E.L.	Tilton
Chambers	Gray	Lawson	Schoepflin	Tuttle
Clark, J. H.	Harrigan	Lounsbury	Seibert	Vacheron
Conklin	Higbie	McDermott	Sheffield	Van Amber
Coughlin	Hobbie	Melody	Smith, M.F.	Wells
Davidson	Hoefler	Messiter	Smith, S.W.	Whittet
Denniston	Horton	Myers	Snyder	Wilcox
Douglas	Hotaling	Nixon	Southworth	Wray
Dowling	Howe	O'Grady	Stein	Wyckoff

On motion of Mr. O'Grady, said bill was referred to the committee on rules.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter 501 of the Laws of 1885, entitled 'An act to amend chapter 151 of the Laws of 1882, entitled An act to amend chapter 361 of the Laws of 1881, entitled An act to amend chapter 542 of the Laws of 1880, entitled An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations'" (No. 850, Rec. No. 406), which was read the first time.

Mr. Ainsworth moved that said bill be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 36 }
 { NOES 16 }

Those who voted in the affirmative, were

Ainsworth	Cassin	Hoysradt	Roche	Terry, J.F.
Baker	Coughlin	Lasch	Ryder, E.L.	Tilton
Brennan	Denniston	Loonan	Schillinger	Tobin
Bush	Fuller	Marrin	Schulz, F.F.	Van Amber
Butts	Gleason	Matthews	Southworth	Vehslage
Cahill	Hobbie	Porter	Sulzer	Wieman
Cain	Howe	Robinson	Terry, C.W.	Speaker
Carroll				

Those who voted in the negative, were

Brownell	Gerst	Hotaling	Lee	Sherwood
Fairbrother	Gray	Kern	Nixon	Thompson
Fish	Hoefer	Lawson	Robbins	Wells
Gardiner				

Mr. Speaker announced the special order of the day being the bills entitled as follows :

“An act to provide for the discharge of an insolvent from his debts.” (No. 1667, Int. No. 1431.)

“An act to abolish imprisonment in civil actions and to provide for the punishment of certain frauds.” (No. 1665, Int. No. 1229.)

“An act to incorporate the Equitable Securities Company.” (No. 1695, Int. 1459.)

“An act to amend section 1384 of the Code of Civil Procedure relating to executions.” (No. 1708, Int. No. 1466.)

Mr. Sulzer moved that said bills be laid aside temporarily.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate bill (no printed) entitled “An act to incorporate the Masonic Temple Association of the city of Rochester, New York” (Rec. No. 412), was read the second time.

On motion of Mr. O’Grady, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Robbins	Stone
Baker	Eldredge	Keck	Robertson	Terry, C.W.
Berry	Fairbrother	Kelsey	Robson	Terry, J.F.
Braun	Fish	Kern	Ryder, E.L.	Thompson
Brennan	Friday	Lawson	Scanlon	Thornton
Brownell	Gardiner	Lounsbury	Schoepflin	Tilton
Bush	Gerst	Marrin	Schulz, H	Tobin
Butts	Glenn	Melody	Seibert	Tuttle
Carroll	Gould	Messiter	Sheffield	Vacheron
Cassin	Gray	Nixon	Sherwood	Van Amber
Chambers	Herrman	O'Grady	Smith, M.F.	Wells
Clark, F.E.	Higbie	Parkhurst	Smith, S.W.	Whittet
Clark, J.H.	Hobbie	Porter	Snyder	Wilcox
Cutler	Horton	Prescott	Stevens	Wyckoff
Dean	Hotaling	Rider, J.J.	Stewart	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1679) entitled "An act to revise and consolidate the general acts relating to public instruction" (Int. No. 1451), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Keck	Rider, J.J.	Stewart
Baker	Denniston	Keleher	Robbins	Stone
Berry	Eldredge	Kelsey	Robertson	Sulzer
Braun	Fairbrother	Kern	Robson	Terry, C.W.
Brennan	Fish	Kerrigan	Roche	Terry, J.F.
Brownell	Fuller	Lawson	Scanlon	Thompson
Burtis	Gardiner	Lounsbury	Schoepflin	Thornton
Bush	Gerst	Marrin	Schulz, F.F.	Tilton
Butts	Glenn	Matthews	Schulz, H	Trainor
Callahan	Gould	Melody	Seibert	Tuttle
Carroll	Gray	Messiter	Sheffield	Vacheron
Cassin	Higbie	Myers	Sherwood	Van Amber
Chambers	Hoefler	Nixon	Smith, M.F.	Wells
Chapman	Horton	O'Grady	Smith, S.W.	Whittet

Clark, J. H.	Hotaling	Parkhurst	Snyder	Wieman
Conklin	Houghton	Porter	Stadtfeld	Wilcox
Cutler	Howe	Prescott	Stein	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Keenan called from the table Senate bill (No. 938) entitled "An act to amend chapter 576 of the Laws of 1893, entitled 'An act relative to the water works department of the city of Troy and to provide for an increased supply of water in the said city,'" (Rec. No. 338), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Rider, J.J.	Stone
Baker	Fish	Kern	Robbins	Sulzer
Berry	Friday	Kneeland	Robertson	Terry, C.W.
Braun	Fuller	Lawson	Robson	Terry, J.F.
Brownell	Gardiner	Lee	Roche	Thompson
Bush	Gerst	Lounsbury	Scanlon	Thornton
Butts	Glenn	Marrin	Schoepflin	Tilton
Carroll	Gould	Matthews	Schulz, F.F.	Trainor
Cassin	Gray	Melody	Schulz, H	Tuttle
Chambers	Herrman	Messiter	Seibert	Vacheron
Clark, F.E.	Hobbie	Myers	Sheffield	Van Amber
Clark, J. H.	Hoefler	Nixon	Smith, M.F.	Wells
Conklin	Horton	O'Grady	Smith, S.W.	Whittet
Cutler	Hotaling	Parkhurst	Snyder	Wieman
Dean	Howe	Porter	Stevens	Wilcox
Denniston	Keck	Prescott	Stewart	Wyckoff
Eldredge	Keleher			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Sulzer called from the table the bill (No. 753) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Int. No. 702), previously laid aside on the order of second reading.

Said bill was then read the second time and placed on the order of third reading.

On motion of Mr. Sulzer, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 82 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Prescott	Stevens
Baker	Fairbrother	Kelsey	Rider, J.J.	Stewart
Berry	Fish	Kern	Robbins	Stone
Brownell	Fuller	Kneeland	Robertson	Sulzer
Bush	Gardiner	Lawson	Robson	Terry, C.W.
Butts	Gerst	Lee	Roche	Terry, J.F.
Cain	Gleason	Lounsbury	Ryder, E.L.	Thompson
Callahan	Glenn	Marrin	Scanlon	Thornton
Carroll	Gould	Matthews	Schoepflin	Tilton
Cassin	Gray	Melody	Schulz, H	Tuttle
Chambers	Herrman	Messiter	Seibert	Vacheron
Clark, F.E.	Higbie	Myers	Sheffield	Van Amber
Clark, J. H.	Hobbie	Nixon	Smith, M.F.	Wells
Coughlin	Hoefer	O'Grady	Smith, S.W.	Whittet
Cutler	Hotaling	Parkhurst	Snyder	Wilcox
Dean	Howe	Porter	Southworth	Wyckoff
Denniston	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Thornton called from the table the Senate bill (No. 529) entitled "An act to amend sections 1042 and 1176 of the Code of Civil Procedure, in relation to drawing and challenging jurors" (Rec. No. 188), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 80 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Robbins	Stone
Baker	Fairbrother	Kelsey	Robson	Sulzer
Braun	Fish	Kern	Roche	Terry, C.W.

Brennan	Friday	Lawson	Ryder, E.L.	Terry, J.F.
Brownell	Fuller	Lee	Scanlon	Thompson
Bush	Gardiner	Lounsbury	Schoepflin	Thornton
Butts	Gerst	Matthews	Schulz, H	Tilton
Callahan	Glenn	Melody	Seibert	Trainor
Carroll	Gould	Mittnacht	Sheffield	Tuttle
Cassin	Gray	Nixon	Sherwood	Vacheron
Chambers	Herrman	O'Grady	Smith, M.F.	Van Amber
Clark, F.E.	Higbie	Parkhurst	Smith, S.W.	Wells
Clark, J. H.	Hobbie	Plant	Snyder	Whittet
Cutler	Hoefer	Porter	Stein	Wieman
Dean	Hotaling	Prescott	Stevens	Wilcox
Denniston	Howe	Rider, J.J.	Stewart	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ainsworth in the chair.

A communication from the Governor was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *February 7, 1894.* }

To the Assembly :

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (not printed, Int. No. 267, entitled "An act to repeal chapter 211 of the Laws of 1869, entitled 'An act authorizing the construction and maintaining of a free bridge over the Susquehanna river, between the towns of Union and Vestal, and the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor,' and acts amendatory thereof."

ROSWELL P. FLOWER.

Mr. Brownell moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Myers	Stadtfeld
Babcock	Denniston	Houghton	Nixon	Stein
Baker	Dinkelspiel	Howe	O'Grady	Stevens

Berry	Dowling	Keck	Parkhurst	Stewart
Braun	Fairbrother	Keleher	Porter	Stone
Brennan	Fish	Kelsey	Rider, J.J.	Terry, C.W.
Brownell	Foley	Kern	Robbins	Terry, J.F.
Burtis	Friday	Kneeland	Robson	Thompson
Bush	Fuller	Lawson	Ryder, E.L.	Thornton
Butts	Gardiner	Lee	Schillinger	Tilton
Callahan	Gerst	Lounsbury	Schoepflin	Trainor
Cassin	Glenn	Marrin	Schulz, F.F.	Tuttle
Chambers	Gould	Matthews	Schulz, H	Vacheron
Chapman	Gray	McKeon	Sheffield	Wells
Clark, F.E.	Herrman	McNamee	Sherwood	Whittet
Clark, J. H.	Higbie	Melody	Smith, M.F.	Wieman
Conklin	Hobbie	Messiter	Smith, S.W.	Wilcox
Cutler	Hoefler	Mittnacht	Snyder	Wyckoff

Mr. Brownell moved to amend said bill as follows :

Strike out section 3 and make section 4 read section 3.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Rider, J.J.	Stewart
Baker	Fairbrother	Kelsey	Robbins	Stone
Berry	Fish	Kern	Robertson	Sulzer
Braun	Friday	Lawson	Robson	Terry, C.W.
Brownell	Fuller	Lee	Roche	Terry, J.F.
Bush	Gardiner	Lounsbury	Ryder, E.L.	Thompson
Butts	Gerst	Marrin	Schoepflin	Thornton
Cain	Glenn	Matthews	Schulz, H	Tilton
Carroll	Gould	Melody	Seibert	Trainor
Cassin	Gray	Messiter	Sheffield	Tuttle
Chambers	Higbie	Mittnacht	Sherwood	Vacheron
Clark, F.E.	Hobbie	Nixon	Smith, M.F.	Van Amber
Clark, J. H.	Hoefler	O'Grady	Smith, S.W.	Wells
Cutler	Horton	Parkhurst	Snyder	Whittet
Dean	Hotaling	Porter	Stadtfeld	Wilcox
Denniston	Howe	Prescott	Stevens	Wyckoff
Douglass				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Kneeland called up the special order, being the bill (No. 1667), entitled "An act to provide for the discharge of an insolvent from his debts" (Int. No. 1431); which was read the second time.

Mr. Kneeland moved that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 32 }
{ NOES 64 }

Those who voted in the affirmative, were

Ainsworth	Gray	Porter	Ryder, E.L.	Stein
Burtis	Harrigan	Prescott	Schoepflin	Stewart
Cutler	Hennessy	Robbins	Sheffield	Sulzer
Dinkelspiel	Keck	Robertson	Sherwood	Taylor
Douglas	Kneeland	Robinson	Smith, S.W.	Thompson
Dowling	Lawson	Roche	Southworth	Wray
Fish	O'Donnell			

Those who voted in the negative, were

Babcock	Conklin	Keenan	Parkhurst	Terry, J.F.
Baker	Corrigan	Keleher	Plant	Thornton
Brennan	Dean	Kerr	Reilly	Tilton
Brownell	Denniston	Kern	Rider, J.J.	Tobin
Bush	Fairbrother	Kerrigan	Robson	Trainor
Butts	Gardiner	Lee	Schillinger	Vacheron
Cahill	Gerst	Lounsbury	Seibert	Van Amber
Cain	Gleason	Loonan	Smith, M.F.	Vehslage
Callahan	Higbie	McDermott	Snyder	Wells
Carroll	Hoefer	McNamee	Stadtfield	Whittet
Cassin	Horton	Messiter	Stevens	Wilcox
Chambers	Hotaling	Myers	Stone	Wyckoff
Chapman	Howe	Nixon	Terry, C.W.	

Mr. Kneeland called up the special order, being the bill (No. 1665) entitled "An act to abolish imprisonment in civil actions and to provide for the punishment of certain frauds." Int. No. 1229.)

Said bill having been announced for a second reading,

Mr. Kneeland moved that said bill be laid aside.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kneeland called up the special order, being the bill (No.

1695) entitled "An act to incorporate the Equitable Securities Company." (Int. No. 1459.)

Said bill having been announced for a second reading,
Mr. Bush moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

} AYES 64 }
} NOES 27 }

Those who voted in the affirmative, were

Ainsworth	Dean	Keck	Reilly	Stewart
Babcock	Douglas	Kelsey	Rider, J.J.	Sulzer
Baker	Eldredge	Kerr	Robbins	Taylor
Braun	Finnigan	Kneeland	Robertson	Terry, J.F.
Brennan	Fuller	Lawson	Robinson	Thompson
Burtis	Gould	Lounsbury	Schoepflin	Tilton
Butts	Gray	Loonan	Sheffield	Vacheron
Carroll	Herrman	Messiter	Sherwood	Van Amber
Chambers	Higbie	Myers	Smith, M.F.	Wells
Chapman	Hobbie	O'Donnell	Snyder	Wilcox
Clark, J. H.	Hoefer	Parkhurst	Stadtfeld	Wray
Conklin	Houghton	Porter	Stein	Wyekoff
Cutler	Howe	Prescott	Stevens	

Those who voted in the negative, were

Bush	Dowling	Hoysradt	Marrin	Tobin
Cahill	Fairbrother	Keenan	McDermott	Trainor
Cassin	Foley	Keleher	Ryder, E.L.	Vehslage
Corrigan	Gerst	La Fetra	Schillinger	Whittet
Denniston	Gleason	Lasch	Southworth	Wieman
Dinkelspiel	Hotaling			

Mr. Kneeland moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kneeland called up the special order, being the bill (No.

1708) entitled "An act to amend section 1384 of the Code of Civil Procedure, relating to executions." (Int. No. 1466.)

Said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Gardiner	Lasch	Roche	Stewart
Babcock	Gerst	Lawson	Scanlon	Stone
Berry	Harrigan	Lee	Schillinger	Sulzer
Burtis	Hennessy	Loonan	Schoepflin	Terry, C.W.
Chambers	Herrman	Marrin	Schulz, F.F.	Terry, J.F.
Chapman	Higbie	Matthews	Schulz, H	Thompson
Clark, F.E.	Hobbie	Messiter	Seibert	Thornton
Clark, J. H.	Hoefer	Myers	Sheffield	Tilton
Conklin	Horton	O'Grady	Sherwood	Trainor
Dean	Houghton	Parkhurst	Smith, M.F.	Tuttle
Dinkelspiel	Howe	Porter	Smith, S.W.	Vacheron
Douglas	Keck	Prescott	Snyder	Van Amber
Dowling	Keleher	Reilly	Southworth	Wells
Eldredge	Kelsey	Rider, J.J.	Stadtfeld	Wieman
Fish	Kern	Robbins	Stein	Wilcox
Friday	Kneeland	Robertson	Stevens	Wyckoff
Fuller	La Fetra	Robinson		

In the negative,

Whittet

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Kerr called from the table the bill (No. 1405) entitled "An act to provide for the construction of road by locals assessment, county and State aid" (Int. No. 1031), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
 { NOES 22 }

Those who voted in the affirmative, were

Ainsworth	Finnigan	Keleher	Myers	Stein
Baker	Foley	Kelsey	Nixon	Stevens
Brennan	Gardiner	Kerrigan	O'Donnell	Stewart
Burtis	Gerst	Kneeland	Parkhurst	Sulzer
Butts	Gleason	La Fetra	Plant	Taylor
Cahill	Glenn	Lasch	Porter	Terry, J.F.
Cain	Gould	Lawson	Reilly	Thornton
Callahan	Gray	Lee	Rider, J.J.	Trainor
Carroll	Harrigan	Loonan	Robinson	Vacheron
Chambers	Hennessy	Marrin	Roche	Vehslage
Chapman	Herrman	Matthews	Ryder, E.L.	Wells
Clark, F.E.	Higbie	McDermott	Scanlon	Whittet
Conklin	Hoefer	McKeon	Schulz, F.F.	Wieman
Corrigan	Horton	McNamee	Schulz, H	Wilcox
Cutler	Houghton	Melody	Snyder	Wray
Douglas	Hoysradt	Messiter	Stadtfeld	Wyckoff
Dowling	Keenan	Mitnacht		

Those who voted in the negative, were

Babcock	Denniston	Kerr	Schoepflin	Stone
Braun	Eldredge	Robbins	Seibert	Terry, C.W.
Bush	Fish	Robertson	Sheffield	Tilton
Clark, J. H.	Howe	Robson	Smith, M.F.	Van Amber
Coughlin	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1053, entitled "An act to incorporate the American Baptist Missionary Union," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative,

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Dowling called from the table Senate bill (No. 931) entitled "An act to amend chapter 256 of the Laws of 1888, entitled 'An act to prevent the use of certain parks and streets in the city of New York for railroads'" (Rec. No. 326), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Donnell	Stein
Babcock	Denniston	Howe	Parkhurst	Stevens
Baker	Dinkelspiel	Hoysradt	Porter	Stewart
Berry	Douglas	Keck	Reilly	Stone
Braun	Dowling	Keleher	Rider, J.J.	Taylor
Brennan	Eldredge	Kelsey	Robbins	Terry, C W.
Brownell	Fairbrother	Kern	Robertson	Terry, J.F.
Burtis	Fish	Kneeland	Robinson	Thornton
Butts	Foley	La Petra	Ryder, E.L.	Tilton
Cain	Fuller	Lasch	Scanlon	Trainor
Carroll	Gerst	Lawson	Schillinger	Tuttle
Cassin	Gleason	Lee	Schoepflin	Vacheron
Chambers	Glenn	Loonan	Schulz, F.F.	Van Amber
Chapman	Gould	Marrin	Schulz, H	Vehslage
Clark, F.E.	Gray	Matthews	Sheffield	Wells
Clark, J. H.	Harrigan	McDermott	Smith, M.F.	Whittet
Conklin	Herrman	McKeon	Smith, S.W.	Wieman
Corrigan	Higbie	McNamee	Snyder	Wilcox
Coughlin	Hoefler	Messiter	Southworth	Wray
Cutler	Horton	Myers	Stadtfeld	Wyckoff
Davidson	Hotaling			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed ten thousand (10,000) copies of the Governor's "public papers" for 1893, of which five thousand (5,000) shall be for the use of the Legislature, and five thousand (5,000) for the use of the Governor — the same to be printed under the terms of the contract governing departmental printing.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 101 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Howe	O'Grady	Stein
Babcock	Dean	Hoysradt	Parkhurst	Stevens
Baker	Denniston	Keck	Porter	Stewart
Berry	Dinkelspiel	Keleher	Prescott	Stone
Braun	Douglas	Kelsey	Reilly	Sulzer
Brennan	Dowling	Kerr	Rider, J.J.	Terry, C.W.
Brownell	Fairbrother	Kern	Robbins	Terry, J.F.
Burtis	Fish	Kneeland	Robertson	Thornton
Bush	Foley	La Fetra	Robinson	Tilton
Butts	Fuller	Lasch	Roche	Tobin
Cahill	Gerst	Lawson	Ryder, E.L.	Trainor
Carroll	Gleason	Lee	Scanlon	Tuttle
Cassin	Glenn	Loonan	Schoepflin	Van Amber
Chambers	Gould	Marrin	Schulz, F.F.	Vehslage
Chapman	Gray	Matthews	Sheffield	Wells
Clark, F.E.	Herrman	McDermott	Sherwood	Whittet
Clark, J. H.	Higbie	McKeon	Smith, M.F.	Wieman
Conklin	Hoefer	McNamee	Smith, S.W.	Wilcox
Corrigan	Horton	Melody	Snyder	Wray
Coughlin	Hotaling	Myers	Stadtfeld	Wyckoff
Cutler				

Mr. Robertson called from the table the bill (No. 1223) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,' relative to the opening of streets and avenues in the Twenty-third and Twenty-fourth wards and the department of public works in the city of New York" (Int. No. 1082), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
 { NOES 42 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Kelsey	Robertson	Taylor
Baker	Gardiner	Kern	Robson	Terry, C.W.
Braun	Gerst	Lawson	Scanlon	Terry, J.F.

Brownell	Glenn	Lee	Schoepflin	Thompson
Burtis	Gould	Lounsbury	Schulz, F.F.	Thornton
Chambers	Gray	Matthews	Schulz, H	Tilton
Clark, F.E.	Higbie	Messiter	Seibert	Tuttle
Clark, J.H.	Hobbie	Nixon	Sherwood	Vacheron
Conklin	Hoefler	O'Grady	Smith, M.F.	Van Amber
Cutler	Horton	Parkhurst	Smith, S.W.	Wells
Dean	Hotaling	Porter	Snyder	Whittet
Denniston	Houghton	Prescott	Stevens	Wilcox
Fairbrother	Howe	Rider, J.J.	Stewart	Wray
Fish	Keck	Robbins	Stone	Wyckoff

Friday

Those who voted in the negative, were

Babcock	Corrigan	Herrman	Marrin	Reilly
Berry	Coughlin	Hoysradt	McKeon	Roche
Brennan	Davidson	Keenan	McNamee	Schillinger
Bush	Dinkelspiel	Keleher	Melody	Stein
Butts	Douglas	Kerr	Mittnacht	Sulzer
Cahill	Dowling	La Fetra	Myers	Tobin
Cain	Finnigan	Lasch	O'Donnell	Trainor
Carroll	Foley	Loonan	Plant	Vehslage
Chapman	Harrigan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Braun called from the table the bill (No. 1532) entitled "An act to amend chapter 248 of the Laws of 1875, entitled 'An act in relation to coroners' fees and post-mortem examinations in Erie county'" (Int. No. 1199), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Plant	Stevens
Babcock	Douglas	Keleher	Porter	Stewart
Baker	Dowling	Kelsey	Prescott	Stone
Berry	Fairbrother	Kerr	Rider, J.J.	Sulzer
Braun	Fish	Kern	Robbins	Taylor
Brennan	Foley	Kneeland	Robertson	Terry, C.W.
Brownell	Friday	La Fetra	Robson	Terry, J.F.

Burtis	Fuller	Lasch	Roche	Thompson
Butts	Gerst	Lawson	Scanlon	Thornton
Cahill	Gleason	Lee	Schoeptlin	Tilton
Carroll	Glenn	Lounsbury	Schulz, F.F.	Trainor
Cassin	Gould	Matthews	Schulz, H	Tuttle
Chambers	Gray	McDermott	Seibert	Vacheron
Chapman	Herrman	McNamee	Sherwood	Van Amber
Clark, F.E.	Higbie	Melody	Smith, M.F.	Vehslage
Clark, J. H.	Hobbie	Messiter	Smith, S.W.	Wells
Conklin	Hoefer	Myers	Snyder	Whittet
Cutler	Horton	Nixon	Southworth	Wieman
Davidson	Hotaling	O'Grady	Stadtfeld	Wray
Dean	Houghton	Parkhurst	Stein	Wyckoff
Denniston	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation :

"An act to vacate certain assessments for improving Second avenue in the city of Albany." (No. 1230, Int. No. 1089.)

"An act to legalize all assessments for local improvement heretofore made in the city of Watertown." (No. 1566, Int. No. 1327.)

"An act in relation to excise moneys collected in the village of Williamsville." (No. 1720, Int. No. 1440.)

Ordered, That said bills be engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1717) entitled "An act to authorize local authorities to contract for purification of water and sewerage" (Int. No. 1449), reported the same, with the recommendation that it be amended as follows :

Page 1, line 3, insert a comma after the word "localities."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 818) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare special and local laws affecting public interests in the city of New York,' with reference to the appointment of commissioners of parks in said city" (Int. No. 752), reported the same with the recommendation that it be amended as follows :

Page 1, line 6, add the letter "s" to the word "commissioner."

Page 3, line 6, after the word "acts" insert the words "so far as."

Same page, line 7, strike out the words "so far as inconsistent therewith."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 800) entitled "An act to authorize the common council of the city of Auburn to borrow money and issue its bonds for the maintenance of the fire department of said city" (Int. No. 1490), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "hereby" insert the words "authorized and."

Same page, line 3, strike out the figures "600.00."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1719) entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872" (Int. No. 1299), reported the same, with the recommendation that it be amended as follows:

Page 4, after line 15, insert the following section:

"§ 3. All acts and parts of acts inconsistent with this act as far as relates to the city of Kingston is hereby repealed.

Same page, line 16, change "§ 3" to "§ 4."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1715) entitled "An act to amend the Code of Criminal Procedure, relative to disorderly persons" (Int. No. 1389), reported the same with the recommendation that it be amended as follows:

Insert the following after section 911:

“Court may also commit him to prison; nature and duration of imprisonment.”

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Speaker resumed the chair.

The bill (No. 1450) entitled “An act to amend chapter 104 of the Laws of 1872, entitled ‘An act in relation to trustees and directors of charitable and benevolent institutions’” (Int. No. 1273), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Howe	Plant	Stewart
Baker	Douglas	Keck	Porter	Stone
Berry	Dowling	Keleher	Prescott	Sulzer
Braun	Fairbrother	Kelsey	Rider, J.J.	Taylor
Brownell	Fish	Kerr	Robbins	Terry, C.W.
Burtis	Foley	Kern	Robertson	Terry, J.F.
Bush	Friday	La Fetra	Robson	Thompson
Butts	Fuller	Lasch	Roche	Thornton
Cahill	Gardiner	Lawson	Ryder, E.L.	Tilton
Carroll	Gerst	Lee	Scanlon	Tobin
Cassin	Gleason	Lounsbury	Schoepflin	Trainor
Chambers	Glenn	Marrin	Schulz, F.F.	Tuttle
Chapman	Gould	Matthews	Schulz, H	Vacheron
Clark, F.E.	Gray	McDermott	Sheffield	Van Amber
Clark, J. H.	Herrman	McNamee	Sherwood	Vehslage
Conklin	Higbie	Melody	Smith, M.F.	Wells
Corrigan	Hobbie	Messiter	Smith, S.W.	Whittet
Cutler	Hoefler	Mittnacht	Snyder	Wieman
Davidson	Horton	Nixon	Southworth	Wray
Dean	Hotaling	O'Grady	Stadtfeld	Wyckoff
Denniston	Houghton	Parkhurst	Stein	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1562) entitled "An act to amend section 12 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Int. No. 1367), having been announced for a third reading,

On motion of Mr. Douglas, said bill was laid aside.

Mr. C. W. Terry called from the table the Senate bill (No. 990) entitled "An act to ratify and confirm the constitution of the Seneca nation of Indians, adopted on the 13th day of January, 1893" (Rec. No. 451), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Porter	Stein
Babcock	Denniston	Howe	Prescott	Stewart
Baker	Dinkelspiel	Keck	Reilly	Sulzer
Berry	Douglas	Keleher	Rider, J.J.	Taylor
Braun	Dowling	Kelsey	Robbins	Terry, C.W.
Brownell	Fairbrother	Kerr	Robertson	Terry, J.F.
Burtis	Fish	Kern	Robson	Thompson
Bush	Foley	La Fetra	Roche	Thornton
Butts	Friday	Lawson	Ryder, E.L.	Tilton
Cahill	Fuller	Lee	Scanlon	Trainor
Callahan	Gerst	Lounsbury	Schoepflin	Tuttle
Carroll	Glenn	Matthews	Schulz, F.F.	Vacheron
Cassin	Gould	McDermott	Schulz, H	Van Amber
Chambers	Gray	McKeon	Seibert	Vehslage
Chapman	Herrman	Melody	Sherwood	Wells
Clark, F.E.	Higbie	Messiter	Smith, M.F.	Whittet
Clark, J. H.	Hobbie	Myers	Smith, S.W.	Wieman
Conklin	Hoeffler	Nixon	Snyder	Wilcox
Cutler	Horton	Parkhurst	Southworth	Wyckoff
Davidson	Hotaling	Plant	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *April* 20, 1894. }

To the Assembly :

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill No. 276, entitled "An act to amend chapter 538 of the Laws of 1889, entitled 'An act to apply to the Cornell University the benefits of the act of Congress of the United States, approved March 2, 1887, entitled An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.'" (Int. No. 272.)

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	O'Grady	Stadtfeld
Babcock	Douglas	Keck	Parkhurst	Stein
Baker	Dowling	Keleher	Plant	Stewart
Berry	Fairbrother	Kelsey	Porter	Stone
Braun	Fish	Kerr	Prescott	Sulzer
Brennan	Foley	Kern	Rider, J.J.	Terry, C.W.
Brownell	Friday	Kneeland	Robbins	Terry, J.F.
Burtis	Fuller	La Fetra	Robertson	Thompson
Bush	Gardiner	Lasch	Robson	Thornton
Butts	Gerst	Lawson	Roche	Tilton
Cain	Glenn	Lee	Scanlon	Tobin
Carroll	Gould	Lounsbury	Schoepfin	Trainor
Cassin	Gray	Marrin	Schulz, F.F.	Tuttle
Chambers	Harrigan	Matthews	Schulz, H	Vacheron
Clark, F.E.	Herrman	McDermott	Seibert	Van Amber
Clark, J. H.	Higbie	McKeon	Sherwood	Wells
Conklin	Hobbie	Melody	Smith, M.F.	Whittet
Cutler	Hoefer	Messiter	Smith, S.W.	Wieman
Davidson	Horton	Myers	Snyder	Wray
Dean	Hotaling	Nixon	Southworth	Wyckoff
Denniston	Houghton			

On motion of Mr. Parkhurst, and by unanimous consent, said bill was amended as follows :

Page 1, section 1, strike out all after the word "section" down to and including the word "eighty-nine" and insert the words "eighty-seven of chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws.'"

Same page, line 4, change the figure "1" to the figure "87."

Page 2, line 20, after the word "act" strike out the words "to be expended as" and insert the words "of Congress," and after the word "stations" insert the word "respectively."

Page 3, strike out the whole of sections 2 and 3 and change section 4 to section 2 on line 19.

Amend the title so as to read as follows :

"An act to amend the agricultural law, in relation to experiment stations."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Porter	Stein
Babcock	Denniston	Howe	Prescott	Stevens
Baker	Dinkelspiel	Keck	Reilly	Stone
Berry	Douglas	Keleher	Rider, J.J.	Taylor
Braun	Dowling	Kelsey	Robbins	Terry, C. W.
Brennan	Fairbrother	Kerr	Robertson	Terry, J.F.
Brownell	Fish	Kern	Robson	Thompson
Burtis	Friday	La Fetra	Roche	Thornton
Bush	Fuller	Lasch	Ryder, E.L.	Tilton
Butts	Gardiner	Lawson	Scanlon	Trainor
Cain	Gerst	Lee	Schoepflin	Tuttle
Callahan	Glenn	Lounsbury	Schulz, F.F.	Vacheron
Carroll	Gould	Matthews	Schulz, H	Van Amber
Cassin	Gray	McDermott	Sheffield	Vehslage
Chambers	Harrigan	McKeon	Sherwood	Wells
Clark, F.E.	Herrman	Melody	Smith, M.F.	Whittet
Clark, J. H.	Higbie	Messiter	Smith, S.W.	Wieman
Conklin	Hobbie	Myers	Snyder	Wilcox
Corrigan	Hoefler	Nixon	Southworth	Wray
Cutler	Horton	O'Grady	Stadtfeld	Wyckoff
Davidson	Hotaling	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate bill (No. 394) entitled "An act to provide for the completion of the armory for the Twenty-third regiment, in the city of Brooklyn" (Rec. No. 351), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Keck	Plant	Stevens
Baker	Dowling	Keleher	Porter	Stewart
Berry	Fairbrother	Kelsey	Prescott	Stone
Brennan	Fish	Kerr	Reilly	Sulzer
Brownell	Foley	Kern	Rider, J.J.	Taylor
Burtis	Friday	La Fetra	Robbins	Terry, C.W.
Bush	Fuller	Lasch	Robertson	Terry, J.F.
Butts	Gardiner	Lawson	Robinson	Thompson
Cain	Gerst	Lee	Roche	Thornton
Callahan	Gleason	Lounsbury	Ryder, E.L.	Tilton
Carroll	Glenn	Loonan	Scanlon	Tobin
Cassin	Gould	Matthews	Schillinger	Trainor
Chambers	Gray	McDermott	Schoepflin	Tuttle
Clark, F.E.	Herrman	McKeon	Schulz, F.F.	Vacheron
Clark, J. H.	Higbie	McNamee	Schulz, H.	Van Amber
Conklin	Hobbie	Melody	Sherwood	Vehslage
Corrigan	Hoefler	Messiter	Smith, M.F.	Wells
Cutler	Horton	Myers	Smith, S.W.	Whittet
Davidson	Hotaling	Nixon	Snyder	Wieman
Dean	Houghton	O'Grady	Stadtfeld	Wray
Denniston	Howe	Parkhurst	Stein	Wyckoff
Dinkelspiel				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1443) entitled "An act to provide for a hearing of the claims of William Lockman and Carey Devery, for work and services performed for the State under the direction of the quarantine officials, and to make an award therefor" (Int. No. 1265), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Howe	O'Grady	Stein
Baker	Dowling	Keck	Parkhurst	Stevens
Berry	Fairbrother	Keleher	Plant	Sulzer
Braun	Fish	Kelsey	Porter	Taylor
Brennan	Foley	Kerr	Reilly	Terry, C.W.
Brownell	Friday	Kern	Rider, J.J.	Terry, J.F.
Burtis	Fuller	Kneeland	Robbins	Thompson
Bush	Gardiner	La Fetra	Robertson	Thornton
Butts	Gerst	Lasch	Robson	Tilton
Carroll	Gleason	Lawson	Roche	Tobin
Cassin	Glenn	Lee	Scanlon	Trainor
Chambers	Gould	Lounsbury	Schillinger	Tuttle
Chapman	Gray	Marrin	Schoepflin	Vacheron
Clark, F.E.	Harrigan	Matthews	Schulz, F.F.	Van Amber
Clark, J. H.	Herrman	McDermott	Seibert	Vehslage
Conklin	Higbie	McKeon	Sherwood	Wells
Coughlin	Hobbie	McNamee	Smith, M.F.	Whittet
Cutler	Hoefer	Melody	Smith, S.W.	Wieman
Davidson	Horton	Messiter	Snyder	Wilcox
Dean	Hotaling	Myers	Southworth	Wray
Denniston	Houghton	Nixon	Stadtfield	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1385) entitled "An act to amend the Code of Civil Procedure, relating to recovery of chattels" (Int. No. 1227), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Houghton	Plant	Stevens
Baker	Dinkelspiel	Howe	Porter	Stewart
Berry	Douglas	Keck	Prescott	Stone

Braun	Dowling	Keleher	Rider, J.J.	Sulzer
Brennan	Eldredge	Kelsey	Robbins	Taylor
Brownell	Fairbrother	Kerr	Robertson	Terry, C.W.
Burtis	Fish	Kern.	Robinson	Terry, J.F.
Bush	Foley	Kneeland	Robson	Thornton
Butts	Friday	Lasch	Ryder, E.L.	Tobin
Cahill	Fuller	Lawson	Scanlon	Trainor
Callahan	Gardiner	Lee	Schoepfin	Tuttle
Carroll	Gerst	Lounsbury	Schulz, F.F.	Vacheron
Cassin	Gleason	Loonan	Schulz, H	Van Amber
Chambers	Glenn	Matthews	Seibert	Vehslage
Clark, F.E.	Gould	McDermott	Sherwood	Wells
Clark, J. H.	Gray	McNamee	Smith, M.F.	Whittet
Conklin	Herrman	Melody	Smith, S.W.	Wieman
Corrigan	Higbie	Messiter	Snyder	Wilcox
Cutler	Hoefer	Myers	Southworth	Wray
Davidson	Horton	O'Grady	Stadtfeld	Wyckoff
Dean	Hotaling	Parkhurst	Stein	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1693) entitled "An act to secure a more equitable and complete assessment of all taxable property of the State" (Int. No. 387), having been announced for a third reading,

On motion of Mr. Kerr, said bill was laid aside.

Mr. Reilly offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1411, entitled "An act to lay out and establish Fort Washington park, in the Twelfth ward of the city of New York," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill (No. 1510) entitled "An act to amend chapter 200 of the Laws of 1873, entitled 'An act to amend the charter of the village of Addison in the county of Steuben,' as amended by chapter 511 of the Laws of 1884" (Int. No. 1309), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Nixon	Southworth
Babcock	Douglas	Howe	O'Grady	Stadtfeld
Baker	Dowling	Keck	Plant	Stein
Berry	Fairbrother	Keleher	Porter	Stevens
Braun	Fish	Kelsey	Prescott	Stone
Brownell	Foley	Kerr	Reilly	Sulzer
Burtis	Friday	Kern	Rider, J.J.	Taylor
Bush	Fuller	Kneeland	Robbins	Terry, C.W.
Butts	Gardiner	La Fetra	Robertson	Terry, J.F.
Callahan	Gerst	Lasch	Robson	Thornton
Carroll	Glenn	Lawson	Roche	Tilton
Cassin	Gould	Lee	Scanlon	Trainor
Chambers	Gray	Lounsbury	Schoepflin	Tuttle
Clark, F.E.	Harrigan	Marrin	Schulz, F.F.	Vacheron
Clark, J. H.	Herrman	Matthews	Schulz, H	Vehslage
Conklin	Higbie	McDermott	Sheffield	Wells
Corrigan	Hobbie	McKeon	Sherwood	Whittet
Cutler	Hoefer	Melody	Smith, M.F.	Wilcox
Davidson	Horton	Messiter	Smith, S.W.	Wray
Dean	Hotaling	Myers	Snyder	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1504) entitled "An act to amend chapter 51 of the Laws of 1870, entitled 'An act to amend the act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848" (Int. No. 1303), having been announced for a third reading,

On motion of Mr. Wells, said bill was laid aside.

The Senate bill (No. 909) entitled "An act to provide for the care and support by the State of pauper Indians" (Rec. No. 393), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Keck	Plant	Stadtfeld
Baker	Dowling	Keleher	Porter	Stein
Berry	Fairbrother	Kelsey	Prescott	Stevens
Braun	Fish	Kerr	Reilly	Stewart
Brennan	Foley	Kern	Rider, J.J.	Stone
Brownell	Friday	Kneeland	Robbins	Sulzer
Burtis	Fuller	La Fetra	Robertson	Taylor
Bush	Gardiner	Lasch	Robinson	Terry, C.W.
Butts	Gerst	Lawson	Robson	Terry, J.F.
Cain	Glenn	Lee	Roche	Thompson
Carroll	Gould	Lounsbury	Scanlon	Thornton
Cassin	Gray	Loonan	Schillinger	Tilton
Chambers	Hennessy	Matthews	Schoepflin	Trainor
Clark, F.E.	Herrman	McDermott	Schulz, F.F.	Tuttle
Clark, J. H.	Higbie	McKeon	Schulz, H	Vacheron
Conklin	Hobbie	McNamee	Seibert	Vehslage
Cutler	Hoefler	Melody	Sheffield	Wells
Davidson	Horton	Messiter	Sherwood	Whittet
Dean	Hotaling	Myers	Smith, M.F.	Wieman
Denniston	Houghton	O'Grady	Smith, S.W.	Wilcox
Dinkelspiel	Howe	Parkhurst	Snyder	Wray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1344) entitled "An act to amend chapter 361 of the Laws of 1884, entitled 'An act to establish a State board of pharmacy and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie'" (Int. No. 1189), having been announced for a third reading,

On motion of Mr. Chapman, said bill was laid aside.

The bill (No. 201) entitled "An act to prevent the drawing of seines, and to protect spawning beds in Croton bay, south of Croton Point" (Int. No. 200), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Keck	Plant	Stein
Babcock	Denniston	Keleher	Porter	Stevens
Baker	Dinkelspiel	Kelsey	Prescott	Stewart
Berry	Douglas	Kerr	Rider, J.J.	Stone
Braun	Dowling	Kern	Robbins	Sulzer
Brownell	Fairbrother	Kerrigan	Robertson	Taylor
Burtis	Finnigan	Kneeland	Robinson	Thompson
Bush	Fish	Lasch	Roche	Thornton
Butts	Foley	Lawson	Ryder, E.L.	Tilton
Cahill	Friday	Lee	Scanlon	Trainor
Carroll	Fuller	Lounsbury	Schillinger	Tuttle
Cassin	Glenn	Loonan	Schoepflin	Vacheron
Chambers	Gould	Marrin	Schulz, F.F.	Van Amber
Chapman	Gray	Matthews	Schulz, H	Vehslage
Clark, F.E.	Harrigan	McDermott	Seibert	Wells
Clark, J. H.	Herrman	McKeon	Sheffield	Whittet
Conklin	Higbie	Melody	Sherwood	Wieman
Corrigan	Hoefler	Messiter	Smith, M.F.	Wilcox
Coughlin	Horton	Myers	Smith, S.W.	Wray
Cutler	Hotaling	O'Grady	Snyder	Wyckoff
Davidson	Howe	Parkhurst	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1180) entitled "An act to amend the banking law, relating to securities in which deposits may be invested" (Int. No. 1048), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
 { NOES 2 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keleher	Porter	Stadtfeld
Babcock	Fish	Kelsey	Prescott	Stein
Baker	Friday	Kerr	Rider, J.J.	Stevens
Braun	Fuller	Kern	Robbins	Taylor
Brennan	Gardiner	Kneeland	Robinson	Terry, C.W.
Brownell	Gerst	Lasch	Robson	Terry, J.F.
Burtis	Gleason	Lawson	Ryder, E.L.	Thompson

Bush	Glenn	Lee	Schillinger	Thornton
Carroll	Gould	Lounsbury	Schoepflin	Tilton
Chambers	Gray	Loonan	Schulz, F.F.	Trainor
Clark, F.E.	Harrigan	Matthews	Seibert	Tuttle
Clark, J. H.	Herrman	McDermott	Sheffield	Van Amber
Conklin	Higbie	Messiter	Sherwood	Wells
Davidson	Hobbie	Mittnacht	Smith, M.F.	Whittet
Dean	Hotaling	Myers	Smith, S.W.	Wilcox
Denniston	Howe	O'Grady	Snyder	Wray
Dinkelspiel	Keck	Parkhurst	Southworth	Wyckoff

Those who voted in the negative, were

Corrigan Dowling

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1691) entitled "An act relative to persons holding the office of justice of the peace" (Int. No. 1261), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Hoysradt	Parkhurst	Stevens
Babcock	Eldredge	Keck	Porter	Stewart
Baker	Fairbrother	Keenan	Prescott	Stone
Berry	Finnigan	Keleher	Rider, J.J.	Sulzer
Braun	Fish	Kerr	Robbins	Taylor
Brennan	Foley	Kern	Robertson	Perry, C.W.
Brownell	Friday	Kerrigan	Robinson	Thompson
Bush	Fuller	Kneeland	Roche	Thornton
Cahill	Gardiner	La Petra	Scanlon	Tilton
Cain	Gleason	Lawson	Schoepflin	Trainor
Carroll	Gould	Lee	Schulz, H	Tuttle
Cassin	Gray	Loonan	Seibert	Vacheron
Clark, F.E.	Herrman	Marrin	Sheffield	Vehslage
Clark, J. H.	Higbie	Matthews	Smith, M.F.	Wells
Conklin	Hobbie	McKeon	Smith, S.W.	Whittet
Corrigan	Hoefler	McNamee	Snyder	Wieman
Cutler	Horton	Messiter	Stadtfield	Wilcox
Davidson	Hotaling	Myers	Stein	Wyckoff
Dean	Howe	O'Grady		

Those who voted in the negative, were

Gerst Kelsey Nixon

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1690) entitled "An act to extend the drill hall and rifle range and make certain additions to the armory in the village of Mohawk, county of Herkimer, and making an appropriation therefor" (Int. No. 261), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Porter	Stadtfeld
Babcock	Finnigan	Keleher	Prescott	Stein
Baker	Fish	Kerr	Reilly	Stevens
Berry	Foley	Kern	Rider, J. J.	Stewart
Braun	Fuller	Kerrigan	Robbins	Stone
Brennan	Gardiner	Kneeland	Robertson	Taylor
Brownell	Gerst	Lasch	Robson	Terry, C. W.
Bush	Glenn	Lawson	Roche	Terry, J. F.
Cahill	Gould	Lee	Scanlon	Thornton
Cain	Gray	Loonan	Schoepffin	Tilton
Carroll	Herrman	Marrin	Schulz, F. F.	Trainor
Chambers	Higbie	Matthews	Schulz, H	Tuttle
Clark, J. H.	Hobbie	McKeon	Seibert	Vacheron
Conklin	Hoefer	McNamee	Sheffield	Van Amber
Coughlin	Hotaling	Messiter	Sherwood	Wells
Cutler	Houghton	Myers	Smith, M. F.	Whittet
Dean	Howe	O'Donnell	Smith, S. W.	Wieman
Denniston	Keck	O'Grady	Snyder	Wilcox
Eldredge	Keenan	Parkhurst	Southworth	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1391) entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' as amended by chapter 198 of the Laws of 1892" (Int. No. 1238), having been announced for a third reading,

On motion of Mr. Fish, the committee on affairs of cities was discharged from the further consideration of Senate bill No. 892, Int. No. 458, same title and subject as the above bill.

On motion of Mr. Carroll, said Senate bill was then substituted for the Assembly bill now on the order of third reading, same title and subject.

Said Senate bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 100 }
} NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Parkhurst	Southworth
Babcock	Dinkelspiel	Hoysradt	Plant	Stadtfield
Baker	Douglas	Keenan	Prescott	Stein
Berry	Eldredge	Keleher	Reilly	Stewart
Braun	Fairbrother	Kelsey	Rider, J.J.	Stone
Brennan	Fish	Kerr	Robertson	Taylor
Burtis	Foley	Kerrigan	Robinson	Terry, C.W.
Bush	Friday	La Fetra	Robson	Thompson
Butts	Fuller	Lasch	Roche	Thornton
Cahill	Gardiner	Lawson	Ryder, E.L.	Tilton
Callahan	Gleason	Lounsbury	Scanlon	Tobin
Carroll	Glenn	Loonan	Schillinger	Trainor
Cassin	Gould	Marrin	Schoepflin	Tuttle
Clark, F.E.	Gray	McDermott	Schulz, F.F.	Vacheron
Clark, J. H.	Herrman	McKeon	Schulz, H	Vehslage
Conklin	Higbie	McNamee	Seibert	Wells
Corrigan	Hobbie	Messiter	Sheffield	Whittet
Coughlin	Hoefer	Mittnacht	Sherwood	Wieman
Cutler	Hotaling	Myers	Smith, S.W.	Wilcox
Dean	Houghton	O'Donnell	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1167) entitled "An act for the relief of Sophia Vandervoort, widow of Charles Vandervoort, deceased, her successors or assigns" (Int. No. 1034), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Howe	O'Donnell	Stadtfeld
Baker	Dowling	Keck	Parkhurst	Stein
Berry	Eldredge	Keleher	Plant	Stevens
Braun	Fairbrother	Kelsey	Porter	Stewart
Brennan	Fish	Kern	Prescott	Stone
Brownell	Foley	Kerrigan	Reilly	Sulzer
Burtis	Friday	Kneeland	Robbins	Taylor
Bush	Fuller	La Fetra	Robertson	Terry, C.W.
Butts	Gardiner	Lawson	Robson	Terry, J.F.
Cahill	Gerst	Lee	Roche	Thompson
Callahan	Gleason	Lounsbury	Ryder, E.L.	Thornton
Carroll	Glenn	Loonan	Scanlon	Tilton
Chapman	Gould	Marrin	Schulz, F.F.	Tobin
Clark, J. H.	Gray	Matthews	Schulz, H	Tuttle
Conklin	Hennessy	McDermott	Seibert	Vacheron
Corrigan	Herrman	McKeon	Sheffield	Wells
Coughlin	Higbie	Messiter	Sherwood	Whittet
Cutler	Hobbie	Mitnacht	Smith, M.F.	Wieman
Dean	Hoefler	Myers	Smith, S.W.	Wilcox
Denniston	Hotaling	Nixon	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1547) entitled "An act in relation to Pierrepont street, Remsen street and Kent street, in the city of Brooklyn" (Int. No. 1348), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Hoysradt	Parkhurst	Stein
Baker	Dowling	Keck	Plant	Stevens
Berry	Eldredge	Keenan	Porter	Stewart
Braun	Fairbrother	Keleher	Prescott	Stone
Brennan	Finnigan	Kelsey	Reilly	Sulzer
Brownell	Fish	Kerr	Robbins	Taylor
Bush	Foley	Kerrigan	Robertson	Terry, C.W.

Butts	Friday	Kneeland	Robinson	Terry, J.F.
Cahill	Fuller	Lasch	Robson	Thompson
Cain	Gardiner	Lawson	Roche	Thornton
Carroll	Gerst	Lounsbury	Scanlon	Tilton
Cassin	Glenn	Loonan	Schillinger	Tobin
Chambers	Gould	Marrin	Schulz, F.F.	Tuttle
Clark, F.E.	Gray	Matthews	Schulz, H	Vacheron
Clark, J. H.	Harrigan	McDermott	Seibert	Van Amber
Corrigan	Herrman	McNamee	Sheffield	Wells
Coughlin	Higbie	Melody	Sherwood	Whittet
Cutler	Hobbie	Messiter	Smith, M.F.	Wilcox
Davidson	Horton	Myers	Snyder	Wray
Dean	Hotaling	Nixon	Southworth	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1057) entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claims against the State of New York of James Brennan and other employes of the State, upon public works, for unpaid balances due for services rendered, under chapter 380, Laws of 1889, from June 6, 1889, to April 29, 1890, and to make an award therefor" (Int. No. 946), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Plant	Stadtfeld
Babcock	Dowling	Keenan	Porter	Stein
Baker	Eldredge	Keleher	Prescott	Stevens
Berry	Fairbrother	Kelsey	Rider, J.J.	Stewart
Braun	Fish	Kerr	Robbins	Stone
Brennan	Foley	Kern	Robertson	Sulzer
Burtis	Friday	Kerrigan	Robinson	Terry, C.W.
Bush	Fuller	Kneeland	Robson	Terry, J.F.
Butts	Gardiner	La Fetra	Ryder, E.L.	Thompson
Cain	Gerst	Lawson	Scanlon	Thornton
Callahan	Glenn	Lee	Schillinger	Tilton
Carroll	Gould	Lounsbury	Schoepflin	Trainor
Cassin	Gray	Loonan	Schulz, F.F.	Tuttle
Chambers	Harrigan	Marrin	Schulz, H	Vacheron

Clark, J. H.	Herrman	Matthews	Seibert	Vehslage
Conklin	Higbie	McKeon	Sheffield	Wells
Corrigan	Hobbie	Messiter	Smith, M.F.	Whittet
Cutler	Horton	Myers	Smith, S.W.	Wieman
Davidson	Hotaling	O'Donnell	Snyder	Wray
Dean	Houghton	O'Grady	Southworth	Wyckoff
Denniston	Howe	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1015) entitled "An act for the adjustment and satisfaction of certain taxes upon the property of Union College" (Rec. No. 385), having been announced for a third reading,

Debate was had thereon, when

Mr. Hennessy moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES	86	}
{ NOES	18	}

Those who voted in the affirmative, were

Ainsworth	Finnigan	Kerr	O'Donnell	Stadtfeld
Berry	Fish	Kern	O'Grady	Stein
Braun	Friday	Kerrigan	Parkhurst	Stevens
Brennan	Fuller	Kneeland	Plant	Stewart
Burtis	Gleason	La Fetra	Porter	Sulzer
Bush	Glenn	Lasch	Prescott	Taylor
Cahill	Gould	Lawson	Reilly	Terry, C.W.
Callahan	Gray	Lounsbury	Rider, J.J.	Thompson
Carroll	Harrigan	Marrin	Robertson	Thornton
Clark, F.E.	Hennessy	Matthews	Roche	Tilton
Corrigan	Herrman	McDermott	Scanlon	Tobin
Coughlin	Hobbie	McKeon	Schoepflin	Tuttle
Cutler	Hoefler	McNamee	Schulz, F.F.	Vehslage
Davidson	Horton	Melody	Sheffield	Wells
Dean	Hoysradt	Mitnacht	Sherwood	Whittet
Denniston	Keck	Myers	Smith, S.W.	Wieman
Dinkelspiel	Kelsey	Nixon	Snyder	Speaker
Douglas				

Those who voted in the negative, were

Butts	Fairbrother	Howe	Ryder, E.L.	Stone
Cain	Foley	Loonan	Schillinger	Vacheron
Clark, J. H.	Gerst	Robbins	Schulz, H	Van Amber
Dowling	Higbie	Robinson		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to amend chapter 553 of the Laws of 1885, entitled 'An act to incorporate the Citizens' Loan Agency and Guarantee Company'" (Rec. No. 306), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Foley	Keleher	Parkhurst	Stadtfeld
Braun	Friday	Kelsey	Plant	Stein
Brownell	Fuller	Kerr	Porter	Stevens
Burtis	Gardiner	Kern	Prescott	Stewart
Bush	Gerst	Kerrigan	Reilly	Sulzer
Cahill	Gleason	La Petra	Rider, J.J.	Taylor
Carroll	Gould	Lasch	Robbins	Terry, C. W.
Chambers	Gray	Lawson	Robinson	Terry, J.F.
Clark, J. H.	Harrigan	Lounsbury	Robson	Thompson
Conklin	Herrman	Loonan	Roche	Thornton
Corrigan	Higbie	Marrin	Scanlon	Tobin
Coughlin	Hobbie	Matthews	Schillinger	Trainor
Davidson	Hoefer	McDermott	Schulz, F.F.	Tuttle
Dean	Horton	McNamee	Schulz, H	Van Amber
Denniston	Hotaling	Messiter	Seibert	Wells
Dinkelspiel	Houghton	Mittnacht	Sherwood	Whittet
Douglas	Howe	Nixon	Smith, M.F.	Wieman
Eldredge	Keck	O'Donnell	Smith, S.W.	Wilcox
Fairbrother	Keenan	O'Grady	Snyder	Wyckoff
Fish				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Davidson moved that the committee on affairs of cities be discharged from the further consideration of Senate bill (No. 1074) entitled "An act to amend chapter 339 of the Laws of 1892, entitled 'An act to regulate, improve and enlarge Park avenue above One Hundred and Sixth street, in the city of New York, and providing for the passage of intersecting streets, under the railroad structure of the New York and Harlem Railroad Company, and for the elevation of said railroad structure, and for changing the grade of said railroad, and for the construction of a new railroad bridge at an increased elevation over the Harlem river, and providing for all changes in any avenues, streets or railroads that may be necessary by reason of such change in structure and grade and increased elevation of bridge, and for other purposes'" (Rec. No. 469), and that the same be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The privileges of the floor were granted to Hon. James Gold-berg, a former member of this House.

On motion of Mr. Ainsworth, the House adjourned.

TUESDAY, APRIL 24, 1894.

The House met pursuant to adjournment.

Prayer by Rev. G. M. Heindel.

On motion of Mr. Wilcox, the journal of yesterday was approved without being read.

The Senate sent for concurrence the following entitled bill:

"An act providing for the erection of a State armory in the city of Hudson, Columbia county, the acquisition of a site therefor, and making an appropriation for building said armory" (No. 644, Rec. No. 407), which was read the first time.

On motion of Mr. Chambers, said bill was referred to the committee on rules.

Mr. O'Grady rose to a question of personal privilege and stated that he was unavoidably absent from the Chamber on Friday last when the bill known as the telephone bill was under

consideration. Had he been present he would have supported the motion made by Mr. Gerst.

Mr. Porter also made the same statement.

Mr. Thornton, from the conference committee on the bill (No. 1209) entitled "An act to amend the game law" (Int. No. 1100), presented a report in the words following:

To the Legislature :

The undersigned, appointed by the Senate and Assembly as a committee of conference, relative to the matters of difference arising between the two Houses upon the Assembly bill entitled "An act to amend the game law," report that they have duly conferred upon said matters, and agreed to recommend as follows:

That section 70 of the game law be amended to read as follows:

"§ 70. Wild fowl, close season.— Web-footed wild fowl, except geese and brant, shall not be pursued, shot at, hunted, killed or possessed or sold between the first day of March and the first day of September, except as hereinafter provided, and except as provided by section 161, and shall not be pursued, shot at, hunted or killed between sunset and daylight. On the Hudson river, south of the Troy dam and its tributaries below that point, the open season shall commence September first and close May first. On the said river below said dam boats propelled by hand may be used for the purpose of shooting web-footed fowl."

Page 4, line 11, Senate printed bill, strike out the words "or possessed" and insert the word "or" between the words "caught" and "killed."

Page 6, line 4, Senate printed bill, insert the words "and September first" after the words "June first."

Strike out section 18, Senate printed bill, and make next section No. 18 and next sections thereafter 19 and 20 respectively.

Page 8, line 3, strike out the comma after the word "Canada," and insert the word "in" after the word "lake."

Add a new section to article 3 of this act to be known as section 56, to read as follows:

"§ 56. No person, corporation, association or company shall hunt, kill, pursue with dogs, chase or take alive any wild deer in the county of Sullivan, save only from the first day of October to the first day of November. No person, corporation, association or company shall have in his or its possession or expose for sale, after the same has been killed, any wild deer or venison, save only from the first day of October to the fifteenth day of November in each year. Any person, corporation, association or company offending against any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of \$100 for each wild deer so killed, hunted, taken alive or pursued."

Page 8, line 15, of Senate printed bill, change the word "river" to "rivers."

Same page, lines 16 and 17, strike out the words "in the county of Cortland."

Page 8, line 2, Senate printed bill, after the word "Seneca" insert the words "Oswego and Oneida rivers."

Page 5, line 20, of the Senate printed bill, insert the words "unless the inclemency of the weather prevents their removal."

That the remaining amendments made by the Senate be concurred in.

H. J. DONALDSON,
JOHN M. CHILDS,
For the Senate.

M. W. VAN AMBER,
HOWARD THORNTON,
W. H. DENNISTON,
IRA B. KERR,
For the Assembly.

Mr. Speaker put the question whether House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present,

{ AYES 96 }
{ NOES 7 }

Those who voted in the affirmative, were

Baker	Dinkelspiel	Hotaling	Messiter	Southworth
Berry	Douglas	Hoysradt	Mittnacht	Stein
Braun	Dowling	Keck	Myers	Stevens
Brownell	Eldredge	Keenan	O'Donnell	Stewart
Burtis	Fairbrother	Keleher	Plant	Stone
Bush	Finnigan	Kelsey	Rider, J.J.	Sulzer
Cahill	Fish	Kerr	Robertson	Taylor
Callahan	Foley	Kern	Robson	Perry, J.F.
Carroll	Friday	Kerrigan	Roche	Thornton
Cassin	Fuller	La Fetra	Ryder, E.L.	Tilton
Chambers	Glenn	Lasch	Scanlon	Trainor
Clark, F.E.	Gould	Lawson	Schillinger	Vacheron
Clark, J. H.	Harrigan	Lee	Schoepflin	Van Amber
Conklin	Hennessey	Lounsbury	Schulz, F.F.	Vehslage
Corrigan	Herrman	Loonan	Schulz, H	Wells
Coughlin	Higbie	Marrin	Sherwood	Whittet
Cutler	Hobbie	McKeon	Smith, M.F.	Wieman
Davidson	Hoefler	McNamee	Smith, S.W.	Wilcox
Dean	Horton	Melody	Snyder	Wyckoff
Denniston				

Those who voted in the negative, were

Babcock	Gerst	Seibert	Terry, C W.	Tobin
Butts	Howe			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

Mr. Coughlin called from the table the Senate bill (No. 915) entitled "An act to grant and release to William Barker all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Buffalo" (Rec. No. 444), previously laid aside.

Mr. Coughlin moved that the same be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Thornton, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 398, entitled "An act to amend section 12 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the common council of the city of Auburn to borrow money and issue its bonds for the maintenance of the fire department of said city." (Int. No. 1490.)

"An act to incorporate the city of Little Falls." (Int. No. 295.)

"An act to amend chapter 123 of the Laws of 1874, entitled 'An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company,' and the acts amendatory thereof." (Int. No. 1349.)

"An act to amend chapter 305 of the Laws of 1891, entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Bath-on-the-Hudson, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts.'" (Int. No. 1388.)

"An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof." (Int. No. 1444.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to district courts." (Int. No. 785.)

"An act to amend the Code of Civil Procedure, relating to production of book account or papers." (Int. No. 1257.)

"An act to establish the Collins Farm State Homeopathic Hospital for the Insane." (Int. No. 921.)

"An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown.'" (Int. No. 1380.)

"An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures.'" (Int. No. 1420.)

"An act to provide for the issue of bonds for the extension of that portion of Van Cortlandt park designated as a military parade, camp and drill ground in the city of New York." (Int. No. 1339.)

"An act to enable the city of Albany to procure additional land for park purposes." (Int. No. 1410.)

"An act to amend chapter 412 of the Laws of 1864, entitled 'An act to amend an act entitled An act to provide for the registry of liens and incumbrances upon boats navigating the canals in this State,' in relation to canal boat mortgages." (Int. No. 1427.)

"An act to amend chapter 217 of the Laws of 1879, entitled 'An act in relation to oil wells.'" (Int. No. 1418.)

"An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants.'" (Int. No. 1210.)

"An act to revise the charter of the city of Elmira." (Int. No. 1462.)

"An act to authorize local authorities to contract for the purification of water and sewerage." (Int. No. 1449.)

"An act to legalize all assessments for local improvement heretofore made in the city of Watertown." (Int. No. 1327.)

"An act in relation to excise moneys collected in the village of Williamsville." (Int. No. 1440.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,'

with reference to the appointment of commissioners of parks in said city." (Int. No. 752.)

"An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872." (Int. No. 1299.)

"An act to vacate certain assessments for improving Second avenue in the city of Albany." (Int. No. 1089.)

"An act to amend the Code of Criminal Procedure, relative to disorderly persons." (Int. No. 1389.)

"An act to amend chapter 401 of the Laws of 1892, entitled 'An act to revise and consolidate the laws regulating the sale of intoxicating liquors.'" (Int. No. 844.)

The Senate returned the bill (No. 753) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Int. No. 702), with a message that they have concurred in the passage of the same, with the following amendment:

Page 1, line 10, printed bill, add the words "not to exceed eight hundred patients in any year."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Herrman	Lee	Robinson	Stewart
Brownell	Higbie	Lounsbury	Robson	Sulzer
Clark, J. H.	Hobbie	Loonan	Ryder, E.L.	Terry, C.W.
Conklin	Hoefler	Matthews	Scanlon	Terry, J.F.
Corrigan	Hotaling	McDermott	Schoepflin	Thompson
Cutler	Houghton	McKeon	Schulz, F.F.	Thornton
Dean	Howe	McNamee	Schulz, H	Tilton
Denniston	Keck	Messiter	Seibert	Trainor
Dowling	Keenan	Mitnacht	Sheffield	Tuttle
Eldredge	Keleher	Myers	Sherwood	Vacheron
Fairbrother	Kelsey	O'Grady	Smith, S.W.	Vehslage
Finnigan	Kerr	Parkhurst	Snyder	Wells
Foley	Kerrigan	Plant	Southworth	Whittet
Fuller	Kneeland	Porter	Stadtfeld	Wilcox

Gerst	La Fetra	Reilly	Stein	Wray
Gould	Lasch	Rider, J.J.	Stevens	Wyckoff
Gray	Lawson	Robbins		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1147) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to discharge of liens" (Int. No. 1013), with a message that they have concurred in the passage of the same, with the following amendment:

Page 3, line 23, after the word "justify" insert the words "and in every instance where the undertaking is approved it shall be placed on file in the Comptroller's office."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keenan	Plant	Southworth
Babcock	Eldredge	Keleher	Porter	Stadtfeld
Baker	Fairbrother	Kelsey	Prescott	Stein
Berry	Finnigan	Kerr	Reilly	Stone
Braun	Foley	Kern	Robbins	Sulzer
Brennan	Friday	Kerrigan	Robertson	Taylor
Brownell	Fuller	La Fetra	Robson	Terry, G.W.
Bush	Gardiner	Lasch	Roche	Thompson
Cahill	Gleason	Lawson	Scanlon	Thornton
Cain	Gould	Lounsbury	Schillinger	Tilton
Carroll	Gray	Loonan	Schoepflin	Tobin
Chambers	Herrman	Marrin	Schulz, F.F.	Trainor
Clark, J. H.	Higbie	Matthews	Schulz, H	Tuttle
Conklin	Hobbie	McNamee	Seibert	Vacheron
Corrigan	Hoeft	Melody	Sheffield	Wells
Cutler	Horton	Messiter	Sherwood	Whittet
Davidson	Houghton	Myers	Smith, M.F.	Wieman
Dean	Howe	O'Donnell	Smith, S.W.	Wilcox
Denniston	Hoysradt	O'Grady	Snyder	Wray
Dinkelspiel				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1204) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of buildings" (Int. No. 804), with a message that they have concurred in the passage of the same, with the following amendments:

Page 9, line 4, convert the word "eighteen" in the word "twenty."

Same page, line 3, strike out the words "side and."

Same page, line 7, after the words "no front" and insert the word "side."

Page 15, line 26, after the word "supporting" insert the article "a."

Page 20, line 19, pluralize the word "building."

Page 21, line 8, strike out the words "the walls of all light and vent shafts, whether exterior or interior, hereafter erected, shall be carried up not less than three feet above the level of the roof."

Page 39, line 18, convert the word "four" into the word "six."

Page 42, after line 7, insert the words "on all buildings other than private dwelling houses three stories or less in height."

Page 53, line 5, convert the word "one-fifth" into the word "one-tenth."

Page 55, line 26, after the word "thickness" insert the words "to curb level or surface of ground."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	96	}
{	NOES	00	}

Those who voted in the affirmative, were

Babcock	Eldredge	Kelsey	Prescott	Stewart
Berry	Fairbrother	Kerr	Reilly	Stone
Braun	Foley	Kern	Robbins	Sulzer
Brownell	Friday	Kerrigan	Robertson	Taylor
Burtis	Fuller	Kneeland	Robinson	Terry, C W.
Butts	Gardiner	Lasch	Robson	Thompson
Cahill	Gleason	Lawson	Roche	Thornton
Cain	Glenn	Lee	Scanlon	Tilton
Callahan	Gould	Lounsbury	Schoepflin	Tobin
Cassin	Gray	Marrin	Schulz, F.F.	Trainor
Chambers	Herrman	Matthews	Seibert	Tuttle
Clark, J. H.	Higbie	McDermott	Sheffield	Vacheron

Conklin	Hobbie	McKeon	Sherwood	Vehslage
Corrigan	Hotaling	Melody	Smith, M.F.	Wells
Cutler	Houghton	Messiter	Snyder	Whittet
Davidson	Howe	Myers	Southworth	Wieman
Dean	Hoysradt	O'Donnell	Stadtfield	Wilcox
Denniston	Keck	Parkhurst	Stein	Wray
Douglas	Keleher	Plant	Stevens	Wyckoff
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A message from the Senate was received and read in the words following :

IN SENATE, *April 19, 1894.*

Pursuant to a concurrent resolution of the Senate and Assembly the Governor returned the Senate bill (No. 417) entitled "An act to provide for the distribution of the Session Laws and official reports to the judges of courts of record." (Int. No. 102.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. O'Connor, and by unanimous consent, said bill was amended to read as follows :

AN ACT to amend the Legislative Law and the Code of Civil Procedure, providing for the distribution of the Session Laws and official reports to the judges of courts of record.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. Section 46 of chapter 682 of the Laws of 1892, entitled "An act in relation to legislation, constituting chapter 8 of the general laws, as amended by chapter 218 of the Laws of 1894," is hereby amended to read as follows :

§ 46. Officers and institutions entitled to receive Session Laws.-- As soon as the Session Laws of each session are printed and bound the Secretary of State shall distribute the bound printed volumes.

1. To the Clerk of the Senate, for the use of the Senate, sixteen copies ; and to the Clerk of the Assembly, for the use of the Assembly, eighteen copies.

2. To the Governor, for the use of the Executive Chamber, the Lieutenant-Governor, members of the Legislature, clerks of the two houses, judges of the Court of Appeals, the justices of the Supreme Court, county judges, judges of the superior city courts, and the commissioner of claims, each one copy ; and printed slips of each law as soon as the same are printed, and to each State officer, and to each board or commission of State officers having an office in the Capitol, for their respective offices, each one copy.

3. One copy to each of the following officers: Each town clerk, for the use of the town, each district attorney, the clerk of each board of supervisors, for the use of the board, each surrogate, except where the county judge acts as surrogate, for the use of the surrogate's court, to the mayor of each city, for the use of the city, and to each village clerk. Every such officer shall deliver such copy of the Session Laws to his successor in office.

4. To each incorporated college or university of the State, one copy.

5. To the atheneums of the cities of Philadelphia, Boston, New York and Albany, and to the Historical Society of the city of New York, each one copy.

6. To the Secretary of State of the United States, four copies.

7. To the Governors of the several States, as many copies as are directed to be sent by the Governor of this State.

§ 2. Sections 213 and 250 of the Code of Civil Procedure, as amended by chapter 218 of the Laws of 1894, are hereby further amended to read as follows:

§ 213. Secretary of State to distribute reports. Of the copies of each volume of the reports, hereafter published in this State, furnished to the Secretary of State, he must deliver one to the clerk of each county, for the use of the county, deposit one in the office of the Attorney-General, deliver one to the clerk of the Court of Appeals, for the use of that court, and one copy for each judge thereof, deliver one to each of the law libraries owned and maintained by the State, deliver one to the Governor of the State, deliver one to each justice of the Supreme Court, and deposit three copies in the State Library.

§ 250. Price of the volumes of the reports. The Supreme Court Reporter must cause the reports, published as prescribed in the last section, to be kept constantly for sale to persons within the State, at a price not exceeding two dollars and fifty cents for a bound volume of not less than 700 pages. He may also cause advance sheets to be published at not to exceed fifty cents a volume. He must cause a copy of each volume of the reports, and the advance sheets thereof, as soon as printed, to be delivered to each judge and justice of the Court of Appeals, the Supreme Court and the superior city courts, during his term of office.

§ 3. This act shall take effect immediately.

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,
Clerk.

Mr. O'Grady moved that said bill, with the amendments of the Senate made thereto, be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill (No. 690) entitled "An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York'" (Int. No. 648), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section 7 of chapter 354 of the Laws of 1883, entitled "An act to regulate and improve the civil service of the State of New York," is hereby amended to read as follows:

§ 7. No officer or clerk shall be appointed, and no person shall be admitted to or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination, in conformity herewith. No elective officer, and no person merely employed as a laborer or workman, shall be required to be classified hereunder; nor, unless by the direction of the Senate, shall any person who has been nominated for confirmation by the Senate to be required to be classified or to pass an examination. It shall be the duty of each State officer or board of State officers appointing or employing any officer, clerk or other person in the public service of the State, in either of said classes, forthwith on such appointment or employment, to report to the civil service commission the name of such appointee or employe, the title or character of his office or employment, and the date of the commencement of service by virtue thereof; and, forthwith, on the termination of such service to report to said commission the fact and date of such termination: It shall be the duty of said commission to keep in its office a complete record, open to public inspection at all reasonable hours, of all officers, clerks and other persons in the public service of the State, in either of said classes, appointed or employed therein in pursuance of law and of the rules and regulations made in pursuance of law showing in each case the title or character of the office or employment, and the date of the commencement of service by virtue thereof; and also a complete record, so far as practicable, in like manner, of all officers, clerks or other persons in the public service of the State, in either of said classes, appointed or employed therein in violation of law, or of the rules and regulations made in pursuance of law. It shall be the duty of the said commission to certify to the Comptroller the name of every officer, clerk or other person in the public service of the State, in either of said classes, appointed or employed therein in pursuance of law and of the rules and regulations made in pursuance of law, stating in each case the title or character of the office or employment, and the date of the commencement of service by virtue thereof; and, in like manner to certify to the Comptroller, the name of each officer, clerk

or other person in the public service of the State, in either of the said classes, appointed or employed therein in violation of law or of the rules or regulations made in pursuance of law; and to certify to the Comptroller, in like manner, every change occurring in any such office or employment forthwith, on the occurrence of the change. It shall be unlawful for the Comptroller to draw his warrant for the payment of any salary or compensation to any officer, clerk or other person in the public service of the State, in either of said classes, who is not so certified as having been appointed or employed in pursuance of law and of the rules and regulations made in pursuance of law. Any officer, clerk or other person entitled to be certified by the said commission to the Comptroller as having been appointed or employed in pursuance of law and of the rules and regulations made in pursuance of law, and refused such certificate, may maintain a certificate by mandamus to compel the commission to issue such certificate. In each city of the State in which rules and regulations have been adopted under the provisions aforesaid, any officer of such city whose duty it is to sign or countersign warrants, shall not draw, sign or issue, or authorize the drawing, signing or issuing, of any warrant on the treasurer or other disbursing officer of such city for the payment of salary to any person in its service whose appointment has not been made in pursuance of this act, and the rules in force thereunder. Any sums paid contrary to the provisions of this section may be recovered from any officer signing or countersigning warrants for the payment of the same, and from the sureties on his official bond, in an action in the Supreme Court of the State maintained by a citizen resident therein, who is assessed for and is liable to pay, or within one year before the commencement of the action has paid, a tax therein. All moneys recovered in any action brought under the provisions of this section must, when collected, be paid into the treasury of the city.

§ 2. This act shall take effect immediately.

Mr. Sheffield moved to concur in said amendment.

Mr. Marrin moved to non-concur in said amendment, and that a committee of conference be appointed, and request a like committee on the part of the Senate.

Debate arising thereon,

Mr. Fish moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Marrin, and it was determined in the negative.

{ AYES 30 }
 { NOES 44 }

Those who voted in the affirmative, were

Butts	Finnigan	Kerrigan	McNamee	Southworth
Cahill	Foley	La Fetra	Melody	Stadtfield
Cain	Hennessy	Lasch	Myers	Stein
Callahan	Keenan	Marrin	Plant	Sulzer
Carroll	Keleher	McDermott	Roche	Trainor
Cassin	Kerr	McKeon	Schillinger	Vehslage

Those who voted in the negative, were

Ainsworth	Conklin	Howe	Robbins	Snyder
Babcock	Cutler	Keck	Robertson	Stevens
Baker	Davidson	Kelsey	Robson	Stewart
Braun	Fish	Lawson	Ryder, E.L.	Stone
Brownell	Fuller	Lee	Scanlon	Terry, C.W.
Burtis	Gerst	Lounsbury	Schoepflin	Terry, J.F.
Chambers	Gould	Porter	Sheffield	Van Amber
Clark, F.E.	Harrigan	Prescott	Sherwood	Wieman
Clark, J. H.	Hotaling	Rider, J.J.	Smith, S.W.	

Mr. Marrin raised the point of order that under Rule 57 said bill, with the amendment proposed by the Senate, must be referred to the committee which originally reported it.

Mr. Speaker ruled the point of order not well taken.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
 { NOES 7 }

Those who voted in the affirmative, were

Ainsworth	Gardiner	Kern	Robson	Stewart
Babcock	Gerst	Kneeland	Ryder, E.L.	Stone
Baker	Glenn	Lawson	Scanlon	Taylor
Braun	Gould	Lee	Schoepflin	Terry, C.W.
Brownell	Gray	Lounsbury	Schulz, F.F.	Terry, J.F.
Clark, F.E.	Higbie	Matthews	Schulz, H	Thompson
Conklin	Hobbie	Messiter	Seibert	Thornton
Cutler	Hoefler	O'Grady	Sheffield	Tuttle
Dean	Horton	Parkhurst	Sherwood	Van Amber
Denniston	Hotaling	Porter	Smith, M.F.	Wells
Eldredge	Houghton	Prescott	Smith, S.W.	Whittet
Fairbrother	Howe	Rider, J.J.	Snyder	Wilcox

Fish
Friday
Fuller

Keck
Kelsey

Robbins
Robertson

Southworth
Stevens

Wray
Wyckoff

Those who voted in the negative, were

Hoysradt
Keenan

Keleher
Lasch

McDermott Roche

Schillinger

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

Mr. Speaker presented the report of the Superintendent of the Insurance Department (Part II) for the year ending December 31, 1893; which was laid upon the table and ordered printed.

(See Document.)

A message from the Senate was received and read, requesting the return to the Senate of Senate bill No. 962, entitled "An act to legalize all assessments for local improvements heretofore made in the city of Watertown" (Int. No. 497), for the purpose of amendment.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills:

"An act to amend chapter 332 of the Laws of 1893, entitled 'An act in relation to the forest preserve and the Adirondack park,' constituting articles 6 and 7 of chapter 43 of the general laws, relating to deer parks in the Catskill regions." (No. 422, Int. No. 402.)

"An act to authorize the election of a board of water commissioners in the village of Liberty, N. Y." (No. 95, Int. No. 100.)

"An act to exempt the real and personal property of the Larchmont Manor Park Society, in the village of Larchmont, from taxation." (No. 365, Int. No. 351.)

"An act making an appropriation for the payment of the actual expenses of travel incurred in performances of their duty by the State game and fish protectors while engaged in the discharge of their duties." (No. 640, Int. No. 603.)

"An act to provide for a commissioner of jurors in counties containing cities of from 90,000 to 100,000 inhabitants." (No. 536, Int. No. 511.)

"An act in relation to agricultural experiment stations within this State." (No. 1111, Int. No. 537.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the following entitled bill:

“An act to amend chapter 277 of the Laws of 1889, entitled ‘An act to amend chapter 420 of the Laws of 1880, entitled An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company’” (No. 848, Rec. No. 474), which was read the first time.

On motion of Mr. Cutler, said bill was substituted for Assembly bill No. 1547, Int. No. 1348, same title and subject, now on the order of third reading.

Mr. Denniston presented the petition of the officers and members of the Woman’s Christian Temperance Union, of Webster, Monroe county, in favor of the two bills amending the public health law, and the Code of Criminal Procedure, whereby the sale of morphine, opium, cocaine and chloral is restricted; which was referred to the committee on public health.

Also, a petition from the same, in favor of the amendment to section 1, chapter 30, of the Laws of 1884, whereby the study of physiology and hygiene, with special reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system; which was referred to the committee on public education.

Also, a petition from the same, in favor of the bill making the age of consent from 16 to 18 years; which was referred to the committee on codes.

Mr. Speaker presented a protest from Progressive Printers No. 6, Local Assembly No. 6061, of New York, against the passage of a bill permitting the hiring of minors in brickyards; which was referred to the committee on labor and industries.

Also, a petition of the Woman’s Christian Temperance Union of Parishville, N. Y., in favor of the amendment to section 1, chapter 30 of the Laws of 1884, relating to the study of physiology and hygiene, with special reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system; which was referred to the committee on public education.

Also, a petition from the same, in favor of the bill raising the age of consent from 16 to 18 years; which was referred to the committee on codes.

Also, a petition from the same, in favor of the two bills, one

amending the public health law and the other the Code of Criminal Procedure, whereby the sale of morphine, opium, cocaine and chloral is restricted ; which was referred to the committee on public health.

The Senate returned the concurrent resolutions recalling from the Governor for the purpose of amendment, the following entitled bills, with a message that they have concurred in the passage of the same :

“An act to lay out and establish Fort Washington park in the Twelfth ward of the city of New York.” (No. 1411, Int. No. 943.)

“An act to incorporate the American Baptist Missionary Union.” (No. 1053, Int. No. 737.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

“An act to incorporate the Niagara, Lockport and Ontario Power Company.” (No. 1481, Int. No. 1073.)

“An act to amend the public health law, relating to penalties and their collection.” (No. 605, Int. No. 570.)

“An act in relation to the village of Fredonia.” (No. 1482, Int. No. 1148.)

“An act to amend the charter of the city of Watertown.” (No. 1472, Int. No. 1200.)

“An act to amend the Penal Code, in relation to ice cuttings and ice bridges.” (No. 1251, Int. No. 1113.)

“An act in relation to Hick, Henry and Clinton streets in the city of Brooklyn.” (No. 479, Int. No. 452.)

“An act providing for the improvement of the method of assessment and taxation in Richmond county.” (No. 912, Int. No. 841.)

“An act to amend chapter 463 of the Laws of 1860, entitled ‘An act to revise the charter of the city of Oswego,’ and the acts amendatory thereof.” (No. 1524, Int. No. 1325.)

“An act to provide for the improvement of a portion of Third avenue in the city of Albany and streets intersecting the same, and for the payment of the expenses thereof.” (No. 843, Int. No. 778.)

“An act to provide for the incorporation of medical societies in the several counties set apart in this State since the passage of the act entitled ‘An act to incorporate medical societies for the

purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813." (No. 1254, Int. No. 1118.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city." (No. 1223, Int. No. 403.)

"An act to amend chapter 614 of the Laws of 1887, entitled 'An act to establish a police pension fund for the city of Rochester.'" (No. 395, Int. No. 407.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 348 of the Laws of 1893, entitled 'An act to establish an institution for the care and custody of unteachable idiots'" (No. 1071, Rec. No. 473), which was read the first time.

On motion of Mr. Porter, said bill was substituted for Assembly bill No. 1694, Int. No. 1460, now on the order of third reading.

"An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled 'An act to consolidate and amend the several acts relating to the said village of Lancaster, and to enlarge the powers of the corporation of said village'" (No. 1017, Rec. No. 418), which was read the first time.

On motion of Mr. Gerst, said bill was laid upon the table.

"An act to amend the Penal Code" (No. 1019, Rec. No. 471), which was read the first time.

On motion of Mr. Gerst, said bill was referred to the committee on rules.

"An act in relation to canal boat mortgages" (No. 1006, Rec. No. 482), which was read the first time.

On motion of Mr. Schoepflin said bill was substituted for Assembly bill No. 1663, Int. No. 1427, same title and subject, now on the order of third reading.

The Senate returned the bill (No. 886) entitled "An act concerning the probate of wills of non-residents" (Int. No. 815), with a message that they have concurred in the passage of the same, with the following amendment:

At the end of section 1 add the words "provided that before

any such will shall be admitted to probate in any county of this State the same proceedings shall be had in the surrogate's court of the proper county as are required by law upon the proof of the last will and testament of a non-resident of a State who shall have died therein."

Mr. J. F. Terry moved to non-concur in said amendment, and that a committee of conference be appointed and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee on the part of the Assembly, Messrs. Terry, Keck, Kern, Foley and Roche.

Ordered, That the clerk return said bill to the Senate with a message that the Assembly have non-concurred in their amendment, have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

"An act to amend chapter 49 of the Laws of 1893, entitled 'An act to provide for the construction of a sewer in the city of Newburgh,' extending time for payments." (No. 1444, Int. No. 1266.)

"An act to incorporate the St. Lawrence Electric Township Company, to define its rights, powers and privileges and for other purposes." (No. 1157, Int. No. 1023.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the following entitled bill:

"An act amending section 1929 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (No. 947, Rec. No. 483), which was read the first time.

On motion of Mr. Herrman, said bill was referred to the committee on rules.

The Senate returned the bill (No. 1329) entitled "An act to supplement the provisions of section 20, title 2, of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and acts amendatory thereof, in relation to the board of estimate, by extending the benefits of such acts to certain institutions in the city of Brooklyn" (Int. No. 1173), with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, line 11, strike out the word "fifteen" and insert the word "twenty-five."

Page 1, line 13, change the word "one" to the word "two."

Same page, line 17, after the word "hospital" insert the words "and the sum of twenty-five hundred dollars to be paid to the House of St. Giles the Cripple."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Fairbrother	Houghton	Porter	Snyder
Braun	Fish	Howe	Prescott	Stein
Brownell	Foley	Keck	Rider, J.J.	Stevens
Burtis	Friday	Kelsey	Robbins	Stone
Chambers	Fuller	Kern	Robertson	Taylor
Chapman	Gardiner	Kneeland	Robson	Terry, J.F.
Clark, F.E.	Gerst	Lawson	Roche	Thompson
Clark, J.H.	Glenn	Lee	Scanlon	Tilton
Conklin	Gould	Lounsbury	Schoepflin	Tuttle
Coughlin	Gray	Marrin	Schulz, F.F.	Vacheron
Cutler	Herrman	Matthews	Schulz, H	Van Amber
Dean	Higbie	Melody	Seibert	Wells
Denniston	Hobbie	Messiter	Sheffield	Wieman
Dinkelspiel	Hoefer	Nixon	Sherwood	Wray
Douglas	Horton	O'Grady	Smith, S.W.	Wyckoff
Eldredge	Hotaling	Parkhurst		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. O'Grady, from a committee of conference, submitted the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 595) entitled "An act to amend section 116 of title 2, chapter 3 of part 4 of the Revised Statutes, relating to State prisons" (Rec. No. 171), report that they have duly conferred upon said matters, and agreed to recommend as follows:

That said bill, as returned from the Governor, be amended as follows:

Strike out the word "the" in second line of the title and insert the word "title" in lieu thereof. Strike out the word "white" in line 7 of section 1, and in line 18 of same section. At end of section 1 change the period to a semicolon, and add the words "provided, however, that the prisoners in the Kings county penitentiary may be employed in manufacturing unlaundried negligé shirts."

C. R. PARSONS,
H. J. COGGESHALL,
JOHN F. AHEARN,
Senate Committee.

JAMES M. E. O'GRADY,
H. P. HOEFLEF,
WM. A. CARROLL,
M. E. FINNIGAN,
JAMES TAYLOR,

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Prescott	Stevens
Babcock	Fairbrother	Keenan	Rider, J.J.	Stewart
Baker	Fish	Keleher	Robbins	Stone
Berry	Foley	Kerr	Robertson	Taylor
Braun	Friday	Kern	Robinson	Terry, C.W.
Brennan	Fuller	Kerrigan	Robson	Terry, J.F.
Burtis	Gardiner	Kneeland	Roche	Thompson
Butts	Gerst	Lawson	Ryder, E.L.	Thornton
Cain	Glenn	Lee	Scanlon	Tilton
Chambers	Gould	Loonan	Schoepflin	Tobin
Clark, F.E.	Gray	Marrin	Schulz, F.F.	Tuttle
Clark, J. H.	Herrman	Matthews	Schulz, H	Vacheron
Conklin	Higbie	McDermott	Seibert	Vehslage
Corrigan	Hobbie	McNamee	Sheffield	Wells
Coughlin	Hoefler	Messiter	Sherwood	Whittet
Cutler	Horton	Mitnacht	Smith, M.F.	Wieman
Dean	Hotaling	O'Donnell	Smith, S.W.	Wilcox
Deniston	Houghton	Parkhurst	Snyder	Wyckoff
Dinkelspiel	Howe	Porter	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

The Senate returned the bill (No. 1104) entitled "An act to provide for licensing foreign stock corporations" (Int. No. 294), with a message that they have concurred in the passage of the same, with the following amendment:

Page 1, line 4, after the word "shall" strike out all down to and including the word "capital" on page 2, line 1, and insert in place thereof the words "pay to the State Treasurer for the use of the State a license fee of one-eighth of one per cent for the privilege of exercising its corporate franchise or carrying on its business in such corporate or organized capacity in this State on the first day of December, 1894, to be computed upon the basis of the amount of capital stock employed by it within this State during the year preceding that date, and every such foreign corporation which shall hereafter be authorized to do business in this State shall pay a like license fee for the privilege, to be computed upon the basis of the capital stock employed by it within this State for its business during the first year of carrying on its business in this State."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Nixon	Snyder
Babcock	Dinkelspiel	Hotaling	O'Grady	Stadtfeld
Baker	Douglas	Houghton	Parkhurst	Stein
Braun	Eldredge	Howe	Porter	Stevens
Brownell	Fairbrother	Keck	Prescott	Stewart
Burtis	Finnigan	Kelcher	Rider, J.J.	Stone
Bush	Fish	Kelsey	Robbins	Sulzer
Butts	Friday	Kern	Robertson	Taylor
Callahan	Fuller	Kneeland	Robson	Terry, J.F.
Carroll	Gardiner	Lawson	Roche	Thompson
Chambers	Gerst	Lee	Scanlon	Tilton
Clark, F.E.	Glenn	Lounsbury	Schoepflin	Trainor
Clark, J. H.	Gould	Marrin	Schulz, F.F.	Tuttle
Conklin	Gray	Matthews	Seibert	Vacheron
Coughlin	Herrman	McKeon	Sheffield	Wells
Cutler	Higbie	Melody	Sherwood	Whittet
Davidson	Hobbie	Messiter	Smith, M.F.	Wilcox
Dean	Hoefler	Myers	Smith, S.W.	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments

A communication from the Governor, was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 24, 1894. }

To the Assembly :

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill No. 1053, Int. No. 747, entitled "An act to incorporate the American Baptist Missionary Union."

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keck	Prescott	Stevens
Baker	Fairbrother	Kelsey	Rider, J. J.	Stewart
Braun	Fish	Kern	Robbins	Stone
Brennan	Friday	Kneeland	Robertson	Taylor
Brownell	Fuller	Lasch	Robson	Terry, J. F.
Burtis	Gardiner	Lawson	Ryder, E. L.	Thompson
Callahan	Gerst	Lee	Scanlon	Thornton
Carroll	Glenn	Lounsbury	Schoepfflin	Tilton
Chambers	Gould	Marrin	Schulz, F. F.	Trainor
Clark, F. E.	Gray	Matthews	Schulz, H.	Tuttle
Clark, J. H.	Herrman	Melody	Siebert	Vacheron
Conklin	Higbie	Messiter	Sheffield	Van Amber
Coughlin	Hobbie	Myers	Sherwood	Wells
Cutler	Hoefer	Nixon	Smith, M. F.	Wieman
Dean	Horton	O'Grady	Smith, S. W.	Wilcox
Denniston	Houghton	Parkhurst	Snyder	Wyckoff
Douglas	Howe	Porter	Stadtfeld	

On motion of Mr. Ainsworth, and by unanimous consent, said bill was amended as follows:

Section 5, strike out the words "third title of the eighteenth chapter of the first part of the Revised Statutes" and insert the words "general corporation law."

Mr. Speaker put the question whether the House would agree in the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	Myers	Smith, S.W.
Babcock	Douglas	Houghton	Nixon	Snyder
Baker	Dowling	Howe	O'Grady	Southworth
Braun	Eldredge	Keck	Parkhurst	Stein
Brennan	Finnigan	Keenan	Porter	Stevens
Brownell	Foley	Keleher	Prescott	Stone
Bush	Friday	Kerr	Rider, J.J.	Sulzer
Butts	Fuller	Kern	Robbins	Terry, C.W.
Callahan	Gardiner	Kneeland	Robertson	Thompson
Carroll	Gerst	La Fetra	Robson	Tilton
Chambers	Glenn	Lasch	Roche	Trainor
Clark, F.E.	Gould	Lawson	Scanlon	Tuttle
Clark, J. H.	Gray	Lounsbury	Schillinger	Van Amber
Conklin	Harrigan	Marrin	Schulz, F.F.	Wells
Corrigan	Herrman	Matthews	Schulz, H	Whittet
Coughlin	Higbie	McKeon	Sheffield	Wieman
Davidson	Hobbie	Melody	Sherwood	Wray
Dean	Hoefler	Messiter	Smith, M.F.	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor was received and read in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 23, 1894. }

To the Assembly :

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1463, entitled "An act to amend chapter 537 of the Laws of 1893, entitled 'An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York, or otherwise.'" (Int. No. 1281.)

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Howe	Porter	Stevens
Baker	Dinkelspiel	Keck	Prescott	Stewart
Berry	Douglas	Kelsey	Rider, J.J.	Stone
Braun	Eldredge	Kern	Robbins	Sulzer
Brennan	Fairbrother	Kneeland	Robertson	Taylor
Brownell	Finnigan	La Fetra	Robson	Terry, J.F.
Burtis	Friday	Lawson	Roche	Thompson
Bush	Fuller	Lee	Scanlon	Thornton
Butts	Gardiner	Lounsbury	Schoepflin	Tilton
Carroll	Gerst	Loonan	Schulz, F.F.	Trainor
Cassin	Glenn	Marrin	Schulz, H	Tuttle
Chambers	Gould	Matthews	Seibert	Vacheron
Clark, F.E.	Gray	Melody	Sheffield	Van Amber
Clark, J. H.	Herrman	Messiter	Sherwood	Wells
Conklin	Higbie	Myers	Smith, M.F.	Whittet
Corrigan	Hobbie	Nixon	Smith, S.W.	Wieman
Cutler	Hoefler	O'Grady	Snyder	Wilcox
Davidson	Horton	Parkhurst	Stadtfeld	Wyckoff
Dean	Hotaling	Plant	Stein	

Mr. Fish in the chair.

The Senate sent for concurrence the bill (No. 865) entitled "An act to amend section 3374 of the Code of Civil Procedure, relating to the abandonment and discontinuance of condemnation proceedings" (Rec. No. 405), which was read the first time.

Mr. Sheffield moved that said bill be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill (No. 861) entitled "An act to amend chapter 385 of the Laws of 1870, entitled 'An act to regulate the hours of labor of mechanics, workingmen and laborers in the employ of the State, or otherwise engaged on public works'" (Int. No. 36), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 11, strike out the word "standard" and insert the words "prevailing rate of."

Same section, line 12, strike out from the word "established" to the word "organizations" inclusive, and insert the word "in."

Same section, line 13, change the word "each" to the word "said," and strike out all from the word "when" to the word "progress" inclusive.

Same section, line 19, change the word "shall" to the word "must."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Howe	Prescott	Stevens
Babcock	Eldredge	Keck	Rider, J.J.	Stewart
Baker	Fairbrother	Kelsey	Robbins	Stone
Braun	Fish	Kerrigan	Robertson	Taylor
Brownell	Friday	Kneeland	Robson	Terry, C.W.
Burtis	Fuller	Lawson	Ryder, E.L.	Terry, J.F.
Carroll	Gardiner	Lee	Scanlon	Thompson
Cassin	Gerst	Lounsbury	Schoepflin	Thornton
Chambers	Glenn	Marrin	Schulz, H	Tilton
Clark, F.E.	Gould	Matthews	Seibert	Trainor
Clark, J. H.	Gray	Melody	Sheffield	Vacheron
Conklin	Herrman	Messiter	Sherwood	Van Amber
Coughlin	Higbie	Myers	Smith, M.F.	Wells
Cutler	Hobbie	Nixon	Smith, S.W.	Whittet
Dean	Hoefer	O'Grady	Snyder	Wilcox
Denniston	Hotaling	Parkhurst	Stadtfeld	Wyckoff
Dinkelspiel	Houghton	Porter		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A communication from the Governor, was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, {
ALBANY, April 24, 1894. }

To the Assembly :

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1411, Int. No. 943, entitled "An act to lay out and establish Fort Washington Park in the Twelfth ward of the city of New York."

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Parkhurst	Stadtfeld
Babcock	Douglas	Howe	Porter	Stevens
Baker	Eldredge	Keck	Prescott	Stewart
Braun	Fairbrother	Keleher	Rider, J.J.	Stone
Brennan	Fish	Kelsey	Robbins	Taylor
Brownell	Foley	Kern	Robertson	Ferry, C.W
Burtis	Friday	La Fetra	Robson	Thorapson
Butts	Fuller	Lasch	Roche	Thornton
Carroll	Gardiner	Lawson	Schillinger	Tilton
Cassin	Gerst	Lee	Schoepflin	Trainor
Chapman	Gould	Lounsbury	Schulz, H	Tuttle
Clark, F.E.	Gray	Matthews	Seibert	Vacheron
Clark, J. H.	Herrman	McDermott	Sheffield	Van Amber
Conklin	Higbie	Melody	Sherwood	Wells
Coughlin	Hobbie	Messiter	Smith, M.F.	Whittet
Cutler	Hoefer	Mittnacht	Smith, S.W.	Wilcox
Dean	Horton	Nixon	Snyder	Wyckoff
Denniston	Hotaling	O'Grady		

On motion of Mr. Reilly, and by unanimous consent, said bill was amended as follows :

(Reference to engrossed bill.)

Page 1, strike out all of section 1, down to and including the word "beginning," in line 19 of said section and insert the following:

"§ 1. All those pieces or parcels of land situated in the Twelfth ward of the city of New York, and generally known as Washington point or road, and described as follows :

Beginning at a point on the westerly side or public drive or boulevard, laid out by the commissioners of the Central Park, under chapter 565, Laws of 1865, distant 1,200 feet southerly from the southerly side of road known as Fort Washington depot road ; running thence northerly crossing said depot road and along the northerly side of said road or public drive or boulevard to the southerly line of the land of William Libbey ; thence westerly along said southerly line of said Libbey's land to the Hudson river ; thence southerly along the river to a line drawn from the point of beginning and parallel with One Hundred and

Fifty-fifth street and extending to said river; thence easterly along the last described line or course parallel with One Hundred and Fifty-fifth street to the point or place of beginning."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	91	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Myers	Snyder
Babcock	Dinkelspiel	Keck	O'Grady	Stadtfeld
Baker	Douglas	Keleher	Parkhurst	Stein
Braun	Eldredge	Kelsey	Porter	Stevens
Brownell	Fairbrother	Kerr	Prescott	Stewart
Burtis	Finnigan	Kern	Reilly	Stone
Bush	Friday	Kneeland	Robbins	Sulzer
Butts	Fuller	Lasch	Robertson	Ferry, C.W
Cain	Gardiner	Lawson	Robson	Thompson
Callahan	Gerst	Lee	Roche	Thornton
Carroll	Glenn	Lounsbury	Scanlon	Tobin
Chambers	Gray	Loonan	Schoepflin	Trainor
Clark, F.E.	Hennessy	Marrin	Schulz, H	Vacheron
Clark, J. H.	Higbie	Matthews	Seibert	Van Amber
Conklin	Hobbie	McKeon	Sheffield	Wells
Corrigan	Hoefer	Melody	Sherwood	Whittet
Coughlin	Hotaling	Messiter	Smith, M.F.	Wilcox
Davidson	Houghton	Mittnacht	Smith, S.W.	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the bill (No. 579) entitled "An act reappropriating the sum of \$5,000 for removing the bars and dredging the channel of the Cayuga inlet" (Int. No. 66), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 6, strike out all from the word "and" to the word "appropriate" inclusive in line 9 and insert the word "thereof."

Amend the title so as to read as follows:

"An act reappropriating the sum of \$5,000 for removing the bars and dredging the channel of Cayuga outlet."

Mr. Speaker put the question whether the House would concur

in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	O'Grady	Snyder
Babcock	Denniston	Hotaling	Parkhurst	Stadtfeld
Baker	Dinkelspiel	Houghton	Porter	Stein
Braun	Douglas	Howe	Prescott	Stevens
Brennan	Eldredge	Keck	Rider, J.J.	Stewart
Brownell	Fairbrother	Kelsey	Robbins	Stone
Burtis	Finnigan	Kern	Robertson	Sulzer
Bush	Fish	Kneeland	Robson	Terry, C.W.
Butts	Friday	La Fetra	Roche	Thompson
Callahan	Fuller	Lawson	Scanlon	Thornton
Carroll	Gardiner	Lounsbury	Schoepflin	Trainor
Cassin	Gerst	Marrin	Schulz, F.F.	Tuttle
Chambers	Glenn	Matthews	Schulz, H	Vacheron
Clark, F.E.	Gould	McKeon	Seibert	Van Amber.
Clark, J. H.	Gray	Melody	Sheffield	Wells
Conklin	Harrigan	Messiter	Sherwood	Whittet
Coughlin	Herrman	Mittnacht	Smith, M.F.	Wilcox
Cutler	Higbie	Nixon	Smith, S.W.	Wyckoff
Davidson	Hobbie			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the following entitled bill:

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'" (No. 753, Int. No. 702.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to provide for the construction of a hoist or lift bridge over the Erie canal at Adam street, in the city of Lockport, and making an appropriation therefor." (No. 728, Rec. No. 288.)

"An act to amend chapter 558 of the Laws of 1893, entitled 'An act to authorize the commissioners of the sinking fund of the city of New York to cancel and amend certain assessments and

sales to the mayor, aldermen and commonalty of the city of New York, for assessments affecting property in the city of New York, and directing the comptroller to make such assessments accordingly.'” (Not printed, Rec. No. 233.)

“An act for the relief of Henry H. Brown.” (No. 199, Rec. No. 204.)

“An act to encourage and to promote the professional training of teachers.” (No. 437, Rec. No. 222.)

Ordered, that the Clerk return said bills to the Senate.

The Senate returned the bill (No. 860) entitled “An act to open the Fulton chain of lakes and the connecting streams thereof as a public highway” (Int. No. 262), with a message that they have concurred in the passage of the same, with the following amendments:

Section 3, last line, strike out the words “county in which they are assessed” and insert the word “State.”

Page 2, section 4, line 2, after the word “vessels” insert the words “and for all other purposes.”

Same page, last line, strike out the word “canal.”

Mr. Hennessy moved to nonconcur in said amendments, that a committee of conference be appointed thereon, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

{ AYES 40 }
{ NOES 37 }

Those who voted in the affirmative, were

Berry	Coughlin	Hennessy	Melody	Schillinger
Brennan	Dinkelspiel	Hoysradt	Mittnacht	Schulz, F.F.
Brownell	Douglas	Keenan	Myers	Southworth
Bush	Dowling	Keleher	Plant	Stein
Carroll	Finnigan	Kerr	Robertson	Sulzer
Cassin	Foley	Kneeland	Roche	Tobin
Chapman	Gray	McDermott	Ryder, E.L.	Trainor
Coughlin	Harrigan	McNamee	Scanlon	Wieman

Those who voted in the negative, were

Ainsworth	Denniston	Houghton	Messiter	Stone
Baker	Gardiner	Keck	Nixon	Terry, C.W.
Braun	Gerst	Kelsey	Porter	Thompson
Chambers	Glenn	Lawson	Prescott	Vacheron
Clark, F.E.	Higbie	Lee	Rider, J.J.	Wells

Clark, J. H.	Hobbie	Lounsbury	Snyder	Whittet
Conklin	Hoeffler	Matthews	Stewart	Wilcox
Cutler	Hotaling			

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 23, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 820, entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to actions and special proceedings against the city of Brooklyn, and so as to provide for the adjustment of claims against the city." (Int. No. 754.)

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keleher	Prescott	Stevens
Babcock	Eldredge	Kelsey	Rider, J.J.	Stewart
Baker	Fairbrother	Kern	Robbins	Stone
Braun	Finnigan	Kneeland	Robertson	Sulzer
Brownell	Friday	Lawson	Robson	Terry, C.W.
Burtis	Fuller	Lee	Roche	Terry, J.F.
Butts	Gardiner	Lounsbury	Scanlon	Thornton
Carroll	Gerst	Marrin	Schoepflin	Tilton
Cassin	Glenn	Matthews	Schulz, F.F.	Trainor
Chambers	Gould	McNamee	Seibert	Tuttle
Clark, F.E.	Herrman	Melody	Sheffield	Vacheron
Clark, J. H.	Higbie	Messiter	Sherwood	Van Amber
Conklin	Hoeffler	Myers	Smith, M.F.	Wells
Coughlin	Horton	Nixon	Smith, S.W.	Whittet
Cutler	Houghton	O'Grady	Snyder	Wilcox
Dean	Howe	Parkhurst	Stadtfield	Wray
Denniston	Keck	Porter	Stein	Wyckoff
Dinkelspiel				

On motion of Mr. Wray, and by unanimous consent, said bill was amended as follows:

Section 1, line 1, insert after the word "of" the words "title twenty-two of."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Parkhurst	Stein
Babcock	Douglas	Keck	Porter	Stevens
Baker	Eldredge	Keleher	Prescott	Stewart
Braun	Fairbrother	Kelsey	Rider, J.J.	Stone
Brennan	Fish	Kern	Robbins	Sulzer
Brownell	Friday	Kneeland	Robertson	Terry, C.W.
Burtis	Fuller	Lasch	Robson	Terry, J.F.
Butts	Gardiner	Lawson	Roche	Thompson
Callahan	Gerst	Lee	Scanlon	Thornton
Carroll	Glenn	Lounsbury	Schoepflin	Trainor
Chambers	Gould	Marrin	Schulz, H	Vacheron
Chapman	Hennessy	Matthews	Seibert	Van Amber
Clark, F.E.	Herrman	McKeon	Sheffield	Wells
Clark, J. H.	Higbie	Melody	Sherwood	Whittet
Conklin	Hobbie	Messiter	Smith, M.F.	Wilcox
Cutler	Hoefler	Myers	Smith, S.W.	Wray
Davidson	Horton	Nixon	Stadtfeld	Wyckoff
Denniston	Hotaling	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the bill (No. 1055) entitled "An act to provide for indexing and reindexing conveyances mortgages and other instruments relating to land and liens thereon, in the county of Kings" (Int. No. 899), with a message that they have concurred in the passage of the same, with the following amendments:

Page 3, line 3, strike out the word "receiver" and insert the word "collector."

Same page, line 5, strike out the words "taxes and assessments" and insert the word "assessment."

Same page, lines 9 and 10, strike out the words "the board of

estimate and apportionment of said county of Kings" and insert the words "the board of estimate of the city of Brooklyn and county of Kings."

Same page, line 13, strike out the words "and apportionment."

Page 7, line 7, after the word "register" add the words "But the indexes now in said office shall be retained so that access may be had to the same at any time, and the register shall cause all conveyances and mortgages now recorded in his office to be lexicographically indexed, where not really done, in the same manner and form as conveyances and mortgages are now lexicographically indexed in his office, and the auditor of said county shall audit monthly, and the treasurer of said county shall thereupon pay to said register his charges for said work at the rate now paid for like work in said office, but no more."

Page 10, lines 3 and 4, strike out the words "the board of estimate and apportionment of the county of Kings" and insert the words "the said board of estimate."

Same page, line 5, after the word "money" insert the words not herein otherwise provided for."

Same page, strike out all of line 10, after the word "county," and all of line 11, and insert the words "as hereinafter provided."

Same page, line 13, after the word "act" insert the words "unless otherwise herein specifically authorized and provided for."

Same page, lines 14 and 15, strike out the words "The board of estimate and apportionment of said county" and insert the words "the said board of estimate."

Page 14, line 22, strike out all of section 30, that is lines 22 to 26, and lines 1, 2 and 3 of page 15, inclusive, and insert the following:

"§ 30. For the purpose of carrying out all of the various provisions of this act, the register and county clerk may employ an expert, who shall act as superintendent, and such clerks, assistants and other expert persons as may, in their respective judgments, be required in their own respective offices, provided, however, that all of the expenses, including printing, stationery and material as may be necessary for the purposes of this act, and for carrying out all of the provisions of this act, shall not in any event exceed the amount or amounts authorized by the said board of estimate, or otherwise specifically provided for by this act or other existing law."

Page 15, line 8, strike out the words "and apportionment" and insert the words "of the city of Brooklyn and."

Same page, line 11, after the word "years" insert the words "if required."

Same page, line 15, after the word "thereto" insert the words "and not otherwise provided."

Same page, lines 20, 21, 22 and 23, strike out the words "such money" in line 20, and all of the rest of lines 20, 21, 22 and 23,

and after the word "raise" in line 20, insert the words "whatever money may be required, not otherwise provided for, from time to time, by the issue of county bonds in such amounts, in such series, and payable at such times as the county treasurer may determine, bearing interest at a rate not to exceed four per cent, and not to be sold at less than par, provided that the total amount of such bonds shall not exceed the amount actually appropriated or required to carry out the provisions of this act."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Howe	Porter	Stein
Baker	Douglas	Keck	Prescott	Stewart
Braun	Dowling	Keleher	Rider, J.J.	Stone
Brennan	Eldredge	Kelsey	Robertson	Sulzer
Brownell	Fairbrother	Kerr	Robinson	Terry, C.W.
Burtis	Finnigan	Kerrigan	Robson	Terry, J.F.
Butts	Foley	Kneeland	Ryder, E.L.	Thompson
Cain	Friday	Lasch	Scanlon	Thornton
Callahan	Gardiner	Lawson	Schoepflin	Tobin
Carroll	Gerst	Lee	Schulz, F.F.	Trainor
Cassin	Gleason	Lounsbury	Schulz, H	Vacheron
Chambers	Gould	Marrin	Seibert	Van Amber
Clark, F.E.	Gray	Matthews	Sherwood	Wells
Conklin	Harrigan	McKeon	Smith, M.F.	Whittet
Corrigan	Herrman	Melody	Smith, S.W.	Wilcox
Coughlin	Higbie	Messiter	Snyder	Wray
Davidson	Hobbie	Myers	Southworth	Wyckoff
Dean	Horton	Nixon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Speaker announced the calendar of the day.

The Senate bill (not printed) entitled "An act to amend chapter 135 of the Laws of 1894, entitled 'An act in relation to funds and property formerly in the custody of the court of chancery'" (Rec. No. 344), was read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Houghton	Parkhurst	Stein
Baker	Douglas	Howe	Porter	Stevens
Berry	Dowling	Keck	Prescott	Stewart
Braun	Eldredge	Keleher	Rider, J.J.	Stone
Brownell	Fairbrother	Kelsey	Robbins	Taylor
Burtis	Finnigan	Kerr	Robertson	Perry, C.W.
Bush	Fish	Kern	Robinson	Terry, J.F.
Butts	Friday	Kneeland	Robson	Thompson
Cain	Fuller	La Fetra	Roche	Tilton
Callahan	Gardiner	Lawson	Scanlon	Trainor
Carroll	Gleason	Lee	Schoepflin	Tuttle
Chambers	Glenn	Lounsbury	Schulz, F.F.	Vacheron
Clark, F.E.	Gould	Marrin	Schulz, H	Van Amber
Clark, J. H.	Gray	Matthews	Seibert	Wells
Conklin	Herrman	Melody	Sheffield	Whittet
Coughlin	Higbie	Messiter	Sherwood	Wilcox
Cutler	Hobbie	Mittnacht	Smith, M.F.	Wray
Davidson	Hoefler	Myers	Smith, S.W.	Wyckoff
Dean	Horton	Nixon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 511) entitled "An act to compensate the board of supervisors of Westchester county." (Rec. No. 140.)

Said bill was read the second time and ordered to a third reading.

On motion of Mr. E. L. Ryder, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Nixon	Stadtfeld
Babcock	Denniston	Hotaling	O'Grady	Stein
Baker	Dinkelspiel	Houghton	Parkhurst	Stevens
Braun	Douglas	Howe	Porter	Stewart
Brennan	Eldredge	Keck	Prescott	Sulzer
Brownell	Fairbrother	Keenan	Rider, J.J.	Taylor
Burtis	Finnigan	Kelsey	Robbins	Terry, J.F.
Bush	Foley	Kerr	Robertson	Thompson
Butts	Friday	Kern	Robson	Thornton
Cain	Fuller	Kneeland	Roche	Tilton
Carroll	Gardiner	Lawson	Scanlon	Tobin
Chambers	Gerst	Lee	Schoepflin	Trainor
Chapman	Glenn	Lounsbury	Schulz, H	Vacheron
Clark, F.E.	Gould	Marrin	Seibert	Van Amber
Clark, J. H.	Gray	Matthews	Sheffield	Wells
Conklin	Herrman	McKeon	Sherwood	Wieman
Corrigan	Higbie	Melody	Smith, M. F.	Wilcox
Coughlin	Hobbie	Messiter	Smith, S.W.	Wyckoff
Cutler	Hoefer	Myers	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 864) entitled "An act to amend the legislative law" (Rec. No. 335), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Grady	Stadtfeld
Babcock	Denniston	Howe	Parkhurst	Stein
Baker	Dinkelspiel	Hoysradt	Porter	Stevens
Berry	Douglas	Keck	Prescott	Stewart
Braun	Dowling	Keleher	Rider, J.J.	Stone
Brennan	Eldredge	Kelsey	Robbins	Taylor
Brownell	Fairbrother	Kern	Robertson	Terry, J.F.
Burtis	Finnigan	Kneeland	Robson	Thompson
Butts	Friday	La Fetra	Roche	Thornton

Callahan	Fuller	Lawson	Scanlon	Tilton
Carroll	Gardiner	Lee	Schillinger	Trainor
Chambers	Glenn	Lounsbury	Schoepflin	Tuttle
Chapman	Gould	Marrin	Schulz, F.F.	Vacheron
Clark, F.E.	Gray	Matthews	Seibert	Van Amber
Clark, J. H.	Herrman	McKeon	Sheffield	Wells
Conklin	Higbie	Melody	Sherwood	Wieman
Coughlin	Hoefler	Messiter	Smith, M.F.	Wray
Cutler	Horton	Myers	Snyder	Wyckoff
Davidson	Hotaling	Nixon		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 684) entitled "An act conferring jurisdiction in the Board of Claims to hear and determine the claim of John Bray for injuries sustained by him at the hands of a convict at Auburn State Prison while on duty as a keeper in said prison" (Rec. No. 309), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Nixon	Stadtfeld
Babcock	Dinkelspiel	Houghton	O'Grady	Stein
Baker	Douglas	Howe	Parkhurst	Stevens
Braun	Dowling	Keck	Plant	Stone
Brennan	Eldredge	Keenan	Prescott	Sulzer
Brownell	Fairbrother	Kelsey	Rider, J.J.	Taylor
Burtis	Finnigan	Kern	Robertson	Terry, J.F.
Bush	Foley	Kneeland	Robson	Thompson
Butts	Friday	La Fetra	Roche	Thornton
Cain	Fuller	Lawson	Scanlon	Tilton
Callahan	Gerst	Lee	Schillinger	Trainor
Cassin	Glenn	Lounsbury	Schoepflin	Tuttle
Chambers	Gould	Marrin	Schulz, H	Van Amber
Chapman	Gray	Matthews	Seibert	Wells
Clark, F.E.	Hennessy	McKeon	Sheffield	Whittet
Conklin	Herrman	McNamee	Smith, M.F.	Wieman
Coughlin	Higbie	Melody	Smith, S.W.	Wray
Cutler	Hobbie	Messiter	Snyder	Wyckoff
Davidson	Horton	Mittnacht		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 775) entitled "An act to enable 'the board of church extension of the Methodist Episcopal church' to take, hold and convey property in the State of New York" (Rec. No. 313), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keck	Parkhurst	Stein
Baker	Dowling	Keenan	Porter	Stewart
Braun	Eldredge	Kelsey	Prescott	Stone
Brennan	Fairbrother	Kerr	Rider, J.J.	Sulzer
Brownell	Fish	Kern	Robbins	Terry, C.W.
Burtis	Foley	Kneeland	Robertson	Thompson
Bush	Friday	La Fetra	Robson	Thornton
Cahill	Fuller	Lawson	Roche	Tobin
Callahan	Gardiner	Lee	Scanlon	Trainor
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Cassin	Gould	Marrin	Schulz, F.F.	Vacheron
Chambers	Harrigan	Matthews	Seibert	Van Amber
Clark, F.E.	Herrman	McKeon	Sheffield	Wells
Conklin	Higbie	McNamee	Sherwood	Whittet
Coughlin	Hoefer	Melody	Smith, M.F.	Wilcox
Cutler	Horton	Mittnacht	Smith, S.W.	Wray
Davidson	Hotaling	Nixon	Snyder	Wyckoff
Dean	Houghton			

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 826) entitled "An act to repeal chapter 391 of the Laws of 1886" (Rec. No. 263), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Nixon	Stadtfeld
Babcock	Denniston	Hotaling	O'Grady	Stein
Baker	Dinkelspiel	Houghton	Parkhurst	Stevens
Berry	Douglas	Howe	Porter	Stewart
Braun	Dowling	Keck	Prescott	Stone
Brennan	Eldredge	Keenan	Rider, J.J.	Sulzer
Burtis	Fairbrother	Keleher	Robertson	Terry, C.W.
Bush	Foley	Kelsey	Robson	Thompson
Burts	Friday	Kern	Roche	Thornton
Cain	Fuller	Kneeland	Ryder, E.L.	Tilton
Callahan	Gerst	Lawson	Schillinger	Trainor
Cassin	Glenn	Lee	Schoepflin	Tuttle
Chambers	Gould	Lounsbury	Schulz, H	Vacheron
Clark, F.E.	Gray	Loonan	Seibert	Van Amber
Conklin	Hennessy	Marrin	Sherwood	Wells
Corrigan	Herrman	Matthews	Smith, M.F.	Wieman
Coughlin	Higbie	Melody	Smith, S.W.	Wray
Cutler	Hobbie	Messiter	Snyder	Wyckoff
Davidson	Hoefler	Mittnacht		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 929) entitled "An act to incorporate the Home church extension board of Onondaga Conference Methodist Protestant church" (Rec. No. 316), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Mittnacht	Stadtfeld
Babcock	Denniston	Hotaling	Nixon	Stein
Baker	Dinkelspiel	Houghton	O'Grady	Stevens
Berry	Douglas	Howe	Parkhurst	Stone
Braun	Eldredge	Keck	Porter	Sulzer
Brennan	Fairbrother	Keenan	Prescott	Taylor
Brownell	Finnigan	Keleher	Rider, J.J.	Terry, C.W.
Burtis	Foley	Kerr	Robertson	Thompson

Bush	Friday	Kern	Robinson	Thornton
Butts	Fuller	Kerrigan	Robson	Tilton
Cain	Gardiner	Kneeland	Ryder, E.L.	Trainor
Callahan	Gerst	Lawson	Scanlon	Tuttle
Carroll	Glenn	Lee	Schoepflin	Vacheron
Chambers	Gould	Lounsbury	Schulz, F.F.	Van Amber
Clark, F.E.	Gray	Matthews	Seibert	Wells
Clark, J. H.	Herrman	McDermott	Sheffield	Whittet
Conklin	Higbie	McNamee	Smith, M.F.	Wilcox
Coughlin	Hobbie	Melody	Smith, S.W.	Wray
Cutler	Hoefer	Messiter	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 631) entitled "An act to amend section 4 of chapter 4 of the Laws of 1891, excepting certain parks and streets from route for an elevated railroad" (Rec. No. 339), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dean	Houghton	O'Donnell	Smith, S.W.
Baker	Dinkelspiel	Howe	O'Grady	Southworth
Berry	Douglas	Keck	Parkhurst	Stadtfeld
Braun	Eldredge	Keleher	Plant	Stein
Brennan	Fairbrother	Kelsey	Prescott	Stevens
Brownell	Finnigan	Kerr	Rider, J.J.	Stone
Burtis	Friday	Kern	Robbins	Sulzer
Bush	Fuller	Kneeland	Robertson	Taylor
Butts	Gardiner	La Petra	Robinson	Terry, J.F.
Callahan	Gerst	Lasch	Robson	Thompson
Carroll	Gleason	Lawson	Roche	Tilton
Chambers	Gould	Lounsbury	Ryder, E.L.	Trainor
Chapman	Gray	Marrin	Schillinger	Tuttle
Clark, F.E.	Herrman	Matthews	Schoepflin	Vacheron
Clark, J. H.	Higbie	McDermott	Schulz, H	Van Amber
Conklin	Hobbie	McNamee	Seibert	Whittet
Corrigan	Hoefer	Melody	Sheffield	Wilcox
Coughlin	Horton	Messiter	Smith, M.F.	Wyckoff
Davidson	Hotaling	Mittnacht		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 738) entitled "An act to legalize certain municipal securities" (Rec. No. 224), having been announced for a third reading,

Mr. Hennessy moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have nonconcurred in the passage of the same.

The Senate bill (No. 777) entitled "An act to amend the county law" (Rec. No. 290), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Davidson	Horton	O'Grady	Southworth
Baker	Denniston	Hotaling	Parkhurst	Stadtfeld
Berry	Dinkelspiel	Houghton	Porter	Stein
Braun	Douglas	Keck	Prescott	Stewart
Brennan	Dowling	Keleher	Reilly	Sulzer
Brownell	Eldredge	Kelsey	Robbins	Taylor
Burtis	Finnigan	Kern	Robertson	Terry, C W.
Bush	Foley	Kneeland	Robson	Thompson
Butts	Friday	La Fetra	Roche	Thornton
Cain	Fuller	Lawson	Scanlon	Tilton
Callahan	Gardiner	Lee	Schillinger	Trainor
Carroll	Gerst	Lounsbury	Schoepflin	Tuttle
Chambers	Glenn	Marrin	Schulz, H	Vacheron
Chapman	Gould	Matthews	Seibert	Van Amber
Clark, F.E.	Gray	McKeon	Sheffield	Wells
Clark, J. H.	Herrman	Melody	Sherwood	Wieman
Conklin	Higbie	Messiter	Smith, M.F.	Wray
Coughlin	Hobbie	Mittnacht	Smith, S.W.	Wyckoff
Cutler	Hoefer	O'Donnell	Snyder	

Ordered that the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 591) entitled "An act to amend the Penal Code" (Rec. No. 210), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Hotaling	Myers	Stadtfeld
Baker	Dinkelspiel	Houghton	O'Grady	Stein
Braun	Douglas	Howe	Parkhurst	Stevens
Brennan	Dowling	Hoysradt	Porter	Stewart
Brownell	Eldredge	Keenan	Rider, J.J.	Stone
Burtis	Fairbrother	Kelsey	Robbins	Sulzer
Bush	Finnigan	Kern	Robertson	Terry, C.W.
Butts	Foley	Kerrigan	Robson	Thompson
Cain	Friday	Kneeland	Roche	Tilton
Callahan	Fuller	Lasch	Ryder, E.L.	Tobin
Cassin	Gerst	Lawson	Schillinger	Trainor
Chambers	Glenn	Lounsbury	Schoepflin	Vacheron
Chapman	Gould	Marrin	Seibert	Van Amber
Clark, J. H.	Gray	Matthews	Sheffield	Wells
Conklin	Herrman	McKeon	Sherwood	Whittet
Corrigan	Higbie	McNamee	Smith, M.F.	Wieman
Coughlin	Hoefer	Melody	Smith, S.W.	Wray
Davidson	Horton	Mitnacht	Snyder	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 397) entitled "An act further to extend the time within which the Troy and New England Railway Company shall begin the construction of its railroad and expend thereon ten per cent of its capital" (Rec. No. 217), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Davidson	Horton	Myers	Stadtfeld
Baker	Denniston	Hotaling	Nixon	Stein
Berry	Dinkelspiel	Houghton	O'Grady	Stevens
Braun	Douglas	Keck	Parkhurst	Stewart
Brennan	Eldredge	Keenan	Porter	Stone
Brownell	Fairbrother	Kelsey	Reilly	Sulzer
Burtis	Foley	Kerr	Robbins	Terry, C.W.
Bush	Friday	Kern	Robson	Thompson
Butts	Fuller	Kneeland	Ryder, E.L.	Thornton
Cain	Gardiner	La Fetra	Scanlon	Tilton
Callahan	Gerst	Lawson	Schoepflin	Trainor
Carroll	Glenn	Lounsbury	Schulz, F.F.	Tuttle
Chambers	Gould	Marrin	Schulz, H	Van Amber
Chapman	Hennessy	Matthews	Seibert	Wells
Conklin	Herrman	McDermott	Sheffield	Whittet
Corrigan	Higbie	McNamee	Smith, M.F.	Wilcox
Coughlin	Hobbie	Melody	Smith, S.W.	Wray
Cutler	Hoefer	Messiter	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 901) entitled "An act to provide for the building of a pier between certain streets in the city of Brooklyn" (Rec. No. 328), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Keck	O'Grady	Stadtfeld
Baker	Douglas	Keleher	Parkhurst	Stein
Braun	Eldredge	Kelsey	Porter	Stevens
Brennan	Finnigan	Kern	Prescott	Stone
Brownell	Foley	Kerrigan	Rider, J.J.	Sulzer
Bush	Fuller	Kneeland	Robbins	Terry, C.W.
Butts	Gardiner	La Fetra	Robertson	Thompson
Cahill	Gleason	Lawson	Robson	Thornton
Carroll	Glenn	Lee	Rocche	Tilton
Cassin	Gould	Lounsbury	Scanlon	Trainor

Chambers	Harrigan	Marrin	Schoepflin	Tuttle
Chapman	Herrman	Matthews	Schulz, H	Vacheron
Clark, J. H.	Higbie	McDermott	Seibert	Vehslage
Conklin	Hobbie	McNamee	Sherwood	Wells
Coughlin	Horton	Melody	Smith, M.F.	Wieman
Cutler	Hotaling	Messiter	Smith, S.W.	Wray
Dean	Houghton	Myers	Snyder	Wyckoff
Denniston	Howe	Nixon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Fairbrother called from the table the Senate bill (not printed) entitled "An act to authorize the town of Newtown, in Queens county, to convey certain real estate, being a part of its common lands." (Rec. No. 426.)

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Stadtfeld
Babcock	Douglas	Hoysradt	Parkhurst	Stein
Baker	Dowling	Keck	Plant	Stewart
Berry	Eldredge	Keleher	Prescott	Stone
Braun	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Brennan	Fish	Kerr	Robbins	Taylor
Burtis	Foley	Kerrigan	Robertson	Terry, J.F.
Bush	Friday	La Fetra	Robson	Thornton
Butts	Fuller	Lawson	Roche	Tilton
Cain	Gerst	Lee	Scanlon	Trainor
Callahan	Glenn	Lounsbury	Schillinger	Tuttle
Carroll	Gray	Marrin	Schulz, F.F.	Vacheron
Chapman	Hennessy	Matthews	Schulz, H	Van Amber
Clark, J. H.	Herrman	McKeon	Sheffield	Wells
Conklin	Higbie	McNamee	Sherwood	Whittet
Coughlin	Hoefler	Melody	Smith, M. F.	Wilcox
Cutler	Horton	Mittnacht	Smith, S.W.	Wray
Davidson	Hotaling	O'Donnell	Snyder	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Davidson called up the bill (No. 1545) entitled "An act to amend section 537 of chapter 492 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the powers and duties of the health department of the city of New York" (Int. No. 1225).

Said bill having been announced for a third reading,

On motion of Mr. Plant, and by unanimous consent, said bill was amended as follows :

Add as section 2 the following :

"§ 2. Elevators may be put in the well-hole of stairs, in buildings, without such brick or fire-proof inclosures, where the stairs are inclosed in brick or stone walls, and the stairs are constructed as specified in section 480 of this title, or where elevators are operated by water from high pressure street mains in buildings provided with approved apparatus, also operated from such mains for extinguishing fires."

Add as section 3 the following :

"§ 3. This act shall take effect immediately."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keenan	O'Grady	Stadtfeld
Babcock	Douglas	Keleher	Parkhurst	Stein
Baker	Eldredge	Kelsey	Plant	Stewart
Berry	Finnigan	Kerr	Prescott	Stone
Brennan	Foley	Kerrigan	Reilly	Sulzer
Brownell	Friday	Kneeland	Robbins	Taylor
Burtis	Fuller	La Fetra	Robertson	Terry, J.F.
Butts	Gardiner	Lasch	Robson	Thornton
Carroll	Gerst	Lawson	Roche	Tilton
Cassin	Glenn	Lee	Ryder, E.L.	Tobin
Chambers	Gould	Lounsbury	Schillinger	Trainor
Clark, F.E.	Hennessy	Marrin	Schoepflin	Vacheron
Clark, J. H.	Herrman	Matthews	Schulz, F.F.	Van Amber

Conklin	Hobbie	McDermott	Seibert	Wells
Corrigan	Hoefler	McNamee	Sheffield	Whittet
Coughlin	Hotaling	Melody	Sherwood	Wilcox
Cutler	Houghton	Messiter	Smith, M. F.	Wray
Davidson	Howe	Mitnacht	Smith, S.W.	Wyckoff
Denniston	Hoysradt	Myers	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Ainsworth introduced a bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1493), which was read the first time.

On motion of Mr. Ainsworth, and by unanimous consent, said bill was read the second time and placed on the order of third reading.

On motion of Mr. Ainsworth, said bill was ordered printed and referred to the committee on ways and means.

Mr. Roche called from the table the bill (No. 1577) entitled "An act to provide for the issue of bonds for the extension of that portion of Van Cortlandt park designated as a military parade, camp and drill ground in the city of New York" (Int. No. 1339), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 97 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	Myers	Southworth
Babcock	Douglas	Keenan	O'Donnell	Stadtfeld
Baker	Dowling	Keleher	Parkhurst	Stein
Berry	Eldredge	Kerr	Plant	Stewart
Braun	Fairbrother	Kern	Prescott	Stone
Brennan	Finnigan	Kerrigan	Reilly	Sulzer
Brownell	Foley	Kneeland	Robbins	Taylor
Bush	Friday	La Fetra	Robertson	Terry, C.W.
Butts	Fuller	Lasch	Robinson	Thompson
Cahill	Gardiner	Lawson	Roche	Thornton
Callahan	Gerst	Lee	Ryder, E.L.	Tilton

Carroll	Gleason	Lounsbury	Scanlon	Trainor
Cassin	Gould	Loonan	Schillinger	Tuttle
Chapman	Hennessy	Marrin	Schulz, F.F.	Van Amber
Conklin	Herrman	McDermott	Seibert	Vehslage
Corrigan	Higbie	McKeon	Sheffield	Whittet
Coughlin	Hobbie	McNamee	Sherwood	Wieman
Davidson	Horton	Melody	Smith, S.W.	Wilcox
Dean	Hotaling	Mittnacht	Snyder	Wyckoff
Denniston	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Higbie introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Brookhaven, in Suffolk county" (Int. No. 1495), which was read the first time.

Mr. Higbie asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hoysradt	Porter	Stein
Babcock	Dinkelspiel	Keenan	Prescott	Stewart
Baker	Douglas	Keleher	Rider, J.J.	Stone
Berry	Dowling	Kelsey	Robbins	Sulzer
Braun	Eldredge	Kern	Robinson	Terry, C.W.
Brownell	Fairbrother	Kneeland	Roche	Terry, J.F.
Burtis	Foley	Lawson	Ryder, E.L.	Thornton
Butts	Friday	Lee	Schillinger	Tilton
Cahill	Fuller	Lounsbury	Schoepflin	Tobin
Carroll	Gardiner	Marrin	Schulz, F.F.	Trainor
Cassin	Glenn	Matthews	Schulz, H	Vacheron
Chambers	Gould	McDermott	Seibert	Van Amber
Clark, F.E.	Hennessy	McKeon	Sherwood	Vehslage
Clark, J. H.	Herrman	Melody	Smith, M.F.	Whittet
Conklin	Hobbie	Messiter	Smith, S.W.	Wieman
Coughlin	Hoefer	Myers	Snyder	Wilcox

Cutler	Horton	Nixon	Southworth	Wray
Davidson	Hotaling	O'Grady	Stadtfeld	Wyckoff
Dean	Houghton	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Tuttle introduced a bill entitled "An act making an appropriation for repairs to the New York State Institution for the Blind at Batavia" (Int. No. 1494), which was read the first time.

On motion of Mr. Tuttle, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on ways and means.

By unanimous consent,

Mr. J. H. Clark introduced a bill entitled "An act to amend chapter 707 of the Laws of 1893, entitled 'An act to incorporate the Model Town Company, to define its powers, privileges and for other purposes'" (Int. No. 1496), which was read the first time and referred to the committee on rules.

Mr. Berry called from the table the bill (No. 1198) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' as amended by section 2 of chapter 10 of the Laws of 1894, entitled 'An act to amend chapter 184, entitled An act to amend chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon'" (Int. No. 1033), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Myers	Southworth
Babcock	Dinkelspiel	Houghton	O'Donnell	Stadtfeld
Baker	Douglas	Howe	Parkhurst	Stein
Berry	Dowling	Hoysradt	Plant	Stewart
Braun	Fairbrother	Keenan	Prescott	Stone
Grennan	Finnigan	Keleher	Reilly	Sulzer

Brownell	Foley	Kerr	Robbins	Terry, C.W.
Bush	Friday	Kern	Robertson	Terry, J.F.
Butts	Fuller	Kerrigan	Robson	Thornton
Cain	Gardiner	Kneeland	Roche	Tilton
Callahan	Gerst	Lasch	Scanlon	Trainor
Cassin	Gleason	Lawson	Schillinger	Tuttle
Chambers	Gould	Lee	Schulz, F.F.	Van Amber
Clark, F.E.	Gray	Lounsbury	Schulz, H	Wells
Clark, J. H.	Harrigan	Loonan	Sheffield	Whittet
Conklin	Hennessey	Marrin	Sherwood	Wilcox
Coughlin	Herrman	Matthews	Smith, M.F.	Wray
Cutler	Hobbie	Melody	Smith, S.W.	Wyckoff
Davidson	Hoefer	Mittnacht	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 514), entitled "An act to lay out and establish a grand boulevard and concourse together with fifteen roads running transversely underneath said boulevard, in the city of New York" (Int. No. 507), reported the same with the recommendation that it be amended as follows:

Page 1, line 6, after the word "vard" insert the words "and concourse."

Page 5, line 7, after the word "poses" insert the words "in the city of New York."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1014), entitled "An act to amend chapter 29 of the Laws of 1886, entitled 'An act to amend chapter 410 of the Laws of 1884, entitled An act to amend chapter 354 of the Laws of 1883, entitled An act to regulate and improve the civil service of the State of New York'" (Int. No. 930), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the word "one" and insert the word "four;" also, strike out the words "chapter 29 of the Laws of."

Same page, line 2, strike out the words "eighteen hundred and eighty-six, entitled 'An act to amend.'"

Same page, line 7, after the words "New York" insert the words "as amended by chapter 29 of the Laws of 1886."

Page 2, before line 1, insert the words "is hereby amended to read as follows."

Same page, line 8, strike out the comma after the word "act."

Same page, line 11, strike out the comma after the word "act."

Amend the title by striking out after the words "To amend" the words "chapter twenty-nine of the Laws of eighteen hundred and eighty-six, entitled 'An act to amend.'"

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The hour of 1.30 o'clock having arrived,

Mr. Ainsworth moved to extend the time of the session twenty minutes.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1001) entitled "An act making appropriation for the State land survey" (Int. No. 916), reported the same without recommendation.

Ordered, That said bill be engrossed for a third reading.

Mr. Wells called from the table the bill (No. 1504) entitled "An act to amend chapter 51 of the Laws of 1870, entitled 'An act to amend the act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848" (Int. No. 1303), previously laid aside on the order of third reading.

On motion of Mr. Wells, and by unanimous consent, said bill was amended as follows:

Add as new section 2 the following:

"§ 2. This act shall not authorize the establishment of any cemetery within the county of Queens."

Make section 2 read section 3.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Mittnacht	Southworth
Babcock	Denniston	Houghton	Myers	Stadtfeld
Baker	Dinkelspiel	Howe	O'Donnell	Stein

Berry	Douglas	Keck	Parkhurst	Stewart
Braun	Eldredge	Keleher	Plant	Stone
Brownell	Fairbrother	Kelsey	Porter	Sulzer
Burtis	Finnigan	Kerr	Reilly	Terry, C.W.
Cahill	Foley	Kern	Robbins	Terry, J.F.
Callahan	Friday	Kerrigan	Robertson	Thompson
Carroll	Gardiner	Kneeland	Robson	Thornton
Cassin	Gerst	La Fetra	Roche	Tobin
Chambers	Glenn	Lawson	Scanlon	Trainor
Chapman	Gould	Lee	Schoepflin	Vacheron
Clark, F.E.	Gray	Lounsbury	Schulz, F.F.	Van Amber
Clark, J. H.	Hennessy	Marrin	Schulz, H	Wells
Conklin	Herrman	Matthews	Sheffield	Whittet
Corrigan	Higbie	McNamee	Sherwood	Wieman
Coughlin	Hoefer	Melody	Smith, M.F.	Wray
Cutler	Horton	Messiter	Smith, S.W.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 1204) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of buildings" (Int. No. 804), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Butts called from the table the Senate bill (No. 577) entitled "An act providing for the removal of incumbrances and obstructions upon the streets, sidewalks and public grounds in the Twenty-third and Twenty-fourth wards in the city of New York" (Rec. No. 186), previously laid aside on the order of third reading.

Mr. Butts asked unanimous consent to amend said bill.

Mr. Sheffield objected.

Mr. Sulzer moved to recommit said bill to the committee on affairs of cities, with instructions to report forthwith amended as follows :

By striking out in lines 5 and 6 the words "commissioner of public works" and inserting the words "commissioner of street improvements, Twenty-third and Twenty-fourth wards."

By inserting after the word "duty," in line 11, the words "but this act is not intended to nor shall it be considered as affecting existing structures or stairways of the elevated railways in said city."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 54 }
{ NOES 52 }

Those who voted in the affirmative, were

Berry	Corrigan	Higbie	McKeon	Schillinger
Brennan	Coughlin	Hoysradt	McNamee	Southworth
Bush	Davidson	Keenan	Melody	Stadtfeld
Butts	Dinkelspiel	Keleher	Mittnacht	Stein
Cahill	Douglas	Kerr	Myers	Sulzer
Cain	Dowling	Kerrigan	O'Donnell	Tobin
Callahan	Finnigan	La Fetra	Plant	Trainor
Carroll	Foley	Lasch	Reilly	Vacheron
Cassin	Gleason	Loonan	Robinson	Vehslage
Chapman	Harrigan	Marrin	Roche	Wilcox
Conklin	Hennessy	McDermott	Ryder, E.L.	

Those who voted in the negative, were

Babcock	Gerst	Kneeland	Robson	Stone
Baker	Glenn	Lawson	Scanlon	Terry, C.W.
Braun	Gould	Lee	Schoepflin	Thornton
Brownell	Gray	Lounsbury	Seibert	Tuttle
Burtis	Hobbie	Matthews	Sheffield	Van Amber
Cutler	Hoefer	Messiter	Sherwood	Wells
Dean	Horton	O'Grady	Smith, M.F.	Whittet
Denniston	Houghton	Porter	Smith, S.W.	Wieman
Fairbrother	Keck	Prescott	Snyder	Wray
Fish	Kelsey	Robertson	Stevens	Speaker
Friday	Kern			

The committee reported back said bill amended as instructed by the House.

Mr. Butts moved to lay said bill aside.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

At 1.50 o'clock the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

Mr. Howe in the chair.

The Senate bill (No. 946) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one

act and to declare the special and local laws affecting public interests in the city of New York,' in relation to reporting deaths, births and marriages" (Rec. No. 345), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Foley	Kerrigan	Prescott	Southworth
Baker	Friday	La Fetra	Reilly	Stadtfield
Braun	Fuller	Lasch	Rider, J.J.	Stein
Brownell	Gerst	Lawson	Robbins	Stevens
Bush	Glenn	Lounsbury	Robertson	Stewart
Butts	Gould	Loonan	Robinson	Taylor
Callahan	Gray	Marrin	Robson	Terry, C.W.
Clark, J. H.	Herrman	Matthews	Ryder, E.L.	Terry, J.F.
Conklin	Higbie	McKeon	Scanlon	Thornton
Corrigan	Hobbie	Melody	Schoepflin	Tilton
Cutler	Horton	Messiter	Schulz, F.F.	Trainor
Dean	Hotaling	Mittnacht	Seibert	Tuttle
Denniston	Howe	Myers	Sheffield	Vehslage
Dowling	Keck	Nixon	Sherwood	Wells
Eldredge	Keenan	O'Grady	Smith, M.F.	Whittet
Fairbrother	Keleher	Parkhurst	Smith, S.W.	Wilcox
Finnigan	Kelsey	Plant	Snyder	Wyckoff
Fish	Kerr			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 933) entitled "An act making a reappropriation for the erection of a State armory in the city of Utica" (Rec. No. 301), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Hoysradt	O'Grady	Stadtfeld
Babcock	Eldredge	Keck	Parkhurst	Stevens
Baker	Fairbrother	Keleher	Plant	Stewart
Berry	Fish	Kerr	Prescott	Sulzer
Brownell	Foley	Kern	Reilly	Taylor
Burtis	Friday	Kerrigan	Rider, J.J.	Ferry, C.W.
Butts	Fuller	La Fetra	Robertson	Terry, J.F.
Cahill	Gardiner	Lasch	Robson	Thompson
Callahan	Gleason	Lawson	Ryder, E.L.	Thornton
Cassin	Glenn	Lee	Scanlon	Tobin
Chambers	Gray	Lounsbury	Schoepflin	Tuttle
Clark, J. H.	Herrman	Marrin	Schulz, F.F.	Van Amber
Conklin	Higbie	Matthews	Schulz, H	Wells
Coughlin	Hobbie	McKeon	Seibert	Whittet
Cutler	Hoefler	Melody	Sheffield	Wieman
Davidson	Horton	Messiter	Smith, M.F.	Wilcox
Denniston	Houghton	Myers	Smith, S.W.	Wyckoff
Dinkelspiel	Howe	Nixon	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 937) entitled "An act to reappropriate money for the erection of a State armory in the city of Cohoes, as provided in chapter 377 of the Laws of 1888, and as reappropriated by chapter 75 of the Laws of 1890, and as reappropriated by chapter 464 of the Laws of 1892, with an additional appropriation" (Rec. No. 300), which was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keenan	Plant	Stevens
Babcock	Eldredge	Keleher	Porter	Stone
Baker	Fairbrother	Kelsey	Prescott	Sulzer
Berry	Fish	Kerr	Rider, J.J.	Taylor
Brennan	Foley	Kerrigan	Robertson	Terry, C W.

Brownell	Friday	Kneeland	Robson	Terry, J.F.
Bush	Gerst	La Fetra	Roche	Thompson
Butts	Gleason	Lawson	Ryder, E.L.	Tilton
Cain	Glenn	Lee	Schillinger	Tobin
Carroll	Gould	Lounsbury	Schoepflin	Trainor
Chambers	Gray	Loonan	Schulz, H	Vacheron
Clark, F.E.	Herrman	Matthews	Seibert	Van Amber
Conklin	Higbie	McDermott	Sheffield	Vehslage
Coughlin	Hobbie	McNamee	Smith, M.F.	Whittet
Cutler	Horton	Melody	Smith, S.W.	Wieman
Davidson	Hotaling	Mittnacht	Snyder	Wilcox
Dean	Howe	O'Donnell	Stadtfeld	Wray
Denniston	Hoysradt	O'Grady	Stein	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1722) entitled "An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville'" (Int. No. 1458), was read the second time.

On motion of Mr. Keck, said bill was placed on the order of third reading.

Mr. Keck moved that said bill be made a special order for to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Cahill	Foley	Howe	Rider, J.J.	Southworth
Cain	Friday	Keck	Robbins	Stadtfeld
Carroll	Fuller	Keleher	Robertson	Stein
Cassin	Gardiner	Kerr	Robinson	Stevens
Clark, F.E.	Gerst	Kern	Robson	Stewart
Clark, J. H.	Gleason	Kneeland	Roche	Taylor
Conklin	Glenn	Lawson	Ryder, E.L.	Terry, C.W.
Corrigan	Gould	Lounsbury	Scanlon	Terry, J.F.
Coughlin	Gray	Matthews	Schoepflin	Thornton
Cutler	Harrigan	McNamee	Schulz, F.F.	Tilton
Dean	Herrman	Messiter	Schulz, H	Trainor
Denniston	Higbie	O'Grady	Seibert	Tuttle
Douglas	Hobbie	Parkhurst	Sheffield	Wells
Dowling	Hoefler	Plant	Sherwood	Wieman
Eldredge	Horton	Porter	Smith, M.F.	Wyckoff
Fairbrother	Houghton	Prescott	Smith, S.W.	

The bill (No. 1582) entitled "An act to amend chapter 555 of the Laws of 1885, entitled 'An act to regulate and fix the pay or compensation of members of the police force who are police surgeons or doormen in all cities of this State having, according to the last census, a population exceeding 800,000'" (Int. No. 1344), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Kelsey	Parkhurst	Stadtfeld
Babcock	Eldredge	Kerr	Plant	Stein
Baker	Fairbrother	Kern	Porter	Stevens
Berry	Fish	Kerrigan	Prescott	Stewart
Braun	Foley	La Fetra	Rider, J.J.	Stone
Brownell	Friday	Lasch	Robbins	Sulzer
Burtis	Fuller	Lawson	Robertson	Taylor
Bush	Gardiner	Lee	Robinson	Terry, C.W.
Cahill	Gleason	Lounsbury	Robson	Thompson
Callahan	Glenn	Marrin	Roche	Thornton
Carroll	Gould	Matthews	Scanlon	Tilton
Chambers	Harrigan	McDermott	Schillinger	Tobin
Clark, F.E.	Herrman	McNamee	Schulz, F.F.	Trainor
Clark, J. H.	Higbie	Melody	Seibert	Tuttle
Conklin	Hobbie	Messiter	Sheffield	Vacheron
Corrigan	Horton	Mittnacht	Sherwood	Wells
Coughlin	Hotaling	Myers	Smith, M.F.	Whittet
Cutler	Howe	Nixon	Smith, S.W.	Wieman
Davidson	Hoysradt	O'Donnell	Snyder	Wray
Denniston	Keenan	O'Grady	Southworth	Wyckoff
Dinkelspiel	Keleher			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1333) entitled "An act to provide for the payment of the salary of John A. Stemmler, as justice of the district court in the city of New York for the Seventh judicial district" (Int. No. 1178), having been announced for a third reading,

Mr. Sulzer moved to amend said bill as follows :

Page 2, line 1, strike out all after the word "shall" down to and including the word "the" on line 12, and insert the words

"be satisfactorily established by a certified copy of the judgment of the Supreme Court of this State, declaring that said John A. Stemmler was duly elected to said office as aforesaid, and that said Joseph McGuire usurped and unlawfully held said office during said period prior to October 15, 1873, and by a certificate from the comptroller of the city of New York, that no part of said salary for said period has been paid to said John A. Stemmler or his representatives, the board of estimate and apportionment of the city of New York is hereby authorized and directed to meet and ascertain the amount of said unpaid salary belonging to said John A. Stemmler as such justice, at the rates fixed by law, and paid to the justices of the other district courts in the said city for the same period, and upon the certificate of the said board of estimate and apportionment, or a majority of the members thereof, that no part of the said salary has been paid to either John A. Stemmler or his representatives from January 1, 1870, to October 15, 1873, and the amount of said salary for said period, the said "

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keenan	O'Grady	Southworth
Babcock	Fairbrother	Keleher	Plant	Stadtfeld
Baker	Fish	Kelsey	Porter	Stein
Berry	Foley	Kerr	Reilly	Stevens
Brennan	Friday	Kern	Rider, J.J.	Stone
Brownell	Fuller	Kerrigan	Robbins	Sulzer
Burtis	Gardiner	La Fetra	Robertson	Taylor
Butts	Gerst	Lasch	Robinson	Terry, J.F.
Cahill	Glenn	Lawson	Robson	Thompson
Cain	Gould	Lounsbury	Roche	Thornton
Carroll	Gray	Loonan	Ryder, E.L.	Tilton
Cassin	Harrigan	Marrin	Scanlon	Trainor
Chapman	Herrman	Matthews	Schoepflin	Tuttle
Clark, J. H.	Higbie	McDermott	Schulz, F.F.	Vacheron
Conklin	Hobbie	McKeon	Schulz, H	Vehslage
Coughlin	Hoefler	McNamee	Seibert	Wells
Cutler	Horton	Messiter	Sheffield	Whittet

Davidson	Hotaling	Mittnacht	Sherwood	Wieman
Denniston	Howe	Myers	Smith, M.F.	Wilcox
Dinkelspiel	Hoysradt	Nixon	Smith, S.W.	Wyckoff
Dowling	Keck	O'Donnell	Snyder	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1609) entitled "An act to amend section 1 of article 1 of title 19 of chapter 20 of part 1 of the Revised Statutes, entitled 'Of brokerage, stock-jobbing and pawnbrokers'" (Int. No. 1321), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keenan	Plant	Stein
Babcock	Dowling	Keleher	Porter	Stevens
Baker	Eldredge	Kelsey	Prescott	Stewart
Berry	Fairbrother	Kerr	Rider, J.J.	Stone
Braun	Foley	Kern	Robbins	Sulzer
Brownell	Friday	Kerrigan	Robertson	Taylor
Burtis	Fuller	Kneeland	Robson	Terry, J.F.
Bush	Gerst	Lasch	Roche	Thompson
Butts	Gleason	Lawson	Scanlon	Thornton
Cahill	Glenn	Lee	Schoepflin	Tilton
Callahan	Gray	Lounsbury	Schulz, F.F.	Tobin
Carroll	Harrigan	Marrin	Schulz, H	Trainor
Chambers	Herrman	Matthews	Seibert	Vacheron
Clark, F.E.	Higbie	McDermott	Sheffield	Van Amber
Conklin	Hobbie	McNamee	Sherwood	Vehslage
Coughlin	Hoefer	Melody	Smith, M.F.	Whittet
Cutler	Hotaling	Messiter	Smith, S.W.	Wieman
Davidson	Houghton	Myers	Southworth	Wray
Dean	Howe	O'Donnell	Stadtfeld	Wyckoff
Dinkelspiel	Keck	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1056) entitled "An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery" (Rec. No. 453), having been announced for a third reading,

Mr. Gardiner moved to amend said bill as follows :

Page 2, line 3, after the word "clerk" strike out the words "and assessors."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Porter	Stevens
Babcock	Fairbrother	Kelsey	Prescott	Stewart
Baker	Fish	Kern	Reilly	Stone
Braun	Foley	Kerrigan	Rider, J.J.	Sulzer
Brennan	Friday	Kneeland	Robbins	Taylor
Brownell	Fuller	La Fetra	Robertson	Terry, G.W.
Burtis	Gardiner	Lasch	Robson	Terry, J.F.
Bush	Gleason	Lawson	Roche	Thompson
Butts	Glenn	Lee	Scanlon	Thornton
Cahill	Gould	Lounsbury	Schoepflin	Tilton
Callahan	Harrigan	Marrin	Schulz, F.F.	Tobin
Carroll	Herrman	Matthews	Schulz, H	Trainor
Chambers	Higbie	McDermott	Seibert	Tuttle
Clark, F.E.	Hobbie	McNamee	Sheffield	Van Amber
Conklin	Hoefer	Melody	Sherwood	Vehslage
Corrigan	Horton	Messiter	Smith, M.F.	Whittet
Cutler	Hotaling	Mitnacht	Smith, S.W.	Wieman
Davidson	Howe	O'Donnell	Southworth	Wilcox
Dean	Hoysradt	O'Grady	Stadtfeld	Wray
Denniston	Keck	Parkhurst	Stein	Wyckoff
Douglas	Keenan	Plant		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with an amendment.

The bill (No. 1613) entitled "An act to provide for the compensation of election officers" (Int. No. 492), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirma-

tive, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
 { NOES 4 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Horton	Matthews	Seibert
Baker	Dowling	Houghton	McKeon	Sheffield
Braun	Eldredge	Howe	McNamee	Smith, S.W.
Brennan	Fairbrother	Hoysradt	Melody	Stein
Brownell	Finnigan	Keck	Messiter	Stevens
Burtis	Foley	Keenan	Mitnacht	Stewart
Bush	Friday	Keleher	Myers	Stone
Butts	Fuller	Kerr	Nixon	Taylor
Cahill	Gardiner	Kern	O'Donnell	Terry, C. W.
Callahan	Gleason	Kerrigan	O'Grady	Terry, J.F.
Carroll	Glenn	Kneeland	Parkhurst	Thompson
Cassin	Gould	La Fetra	Plant	Thornton
Chambers	Gray	Lasch	Porter	Trainor
Clark, J. H.	Harrigan	Lawson	Prescott	Tuttle
Conklin	Herrman	Lee	Rider, J.J.	Van Amber
Corrigan	Higbie	Lounsbury	Robertson	Wells
Cutler	Hobbie	Loonan	Schulz, F.F.	Whittet
Davidson	Hoefer	Marrin	Schulz, H	Wilcox
Dean				

Those who voted in the negative, were

Hotaling Kelsey Robbins Tilton

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1712) entitled "An act to authorize the village of Johnstown, in the county of Fulton, to issue its bonds for payment of existing indebtedness" (Int. No. 1469), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Hoysradt	Plant	Stein
Baker	Dowling	Keck	Porter	Stevens
Berry	Eldredge	Keleher	Prescott	Stewart

Braun	Fairbrother	Kelsey	Beilly	Stone
Brennan	Foley	Kerr	Rider, J.J.	Sulzer
Burtis	Friday	Kern	Robbins	Taylor
Bush	Fuller	Kneeland	Robinson	Terry, C.W.
Butts	Gardiner	Lawson	Robson	Terry, J.F.
Cain	Gerst	Lee	Roche	Thompson
Callahan	Glenn	Lounsbury	Scanlon	Thornton
Cassin	Gould	Marrin	Schoepflin	Trainor
Chapman	Gray	Matthews	Schulz, F.F.	Tuttle
Clark, J. H.	Herrman	McDermott	Schulz, H	Vacheron
Conklin	Higbie	McNamee	Seibert	Wells
Corrigan	Hobbie	Melody	Sheffield	Whittet
Cutler	Hoefer	Messiter	Sherwood	Wieman
Davidson	Horton	O'Donnell	Smith, M.F.	Wilcox
Dean	Houghton	O'Grady	Snyder	Wyckoff
Denniston	Howe	Parkhurst	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1605) entitled "An act to amend section 2 of title 3 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' by creating a new department, to be known as the department of street cleaning" (Int. No. 1243), having been announced for a third reading,

Debate was had thereon, when

Mr. Hennessy moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 19 }

Those who voted in the affirmative, were

Baker	Dowling	Houghton	Melody	Seibert
Berry	Eldredge	Howe	Myers	Smith, S.W.
Braun	Fairbrother	Hoysradt	Nixon	Southworth
Brennan	Finnigan	Keck	O'Donnell	Stadtfeld
Bush	Foley	Keenan	Plant	Stein
Butts	Friday	Keleher	Porter	Sulzer

Cahill	Gardiner	Kelsey	Reilly	Taylor
Callahan	Gerst	Kerrigan	Rider, J.J.	Terry, C.W.
Carroll	Gleason	La Fetra	Robbins	Terry, J.F.
Cassin	Gould	Lasch	Robertson	Tilton
Chambers	Gray	Lee	Robinson	Tobin
Clark, F.E.	Harrigan	Loonan	Roche	Trainor
Clark, J. H.	Hennessy	Marrin	Ryder, E.L.	Vehsiage
Corrigan	Herrman	McDermott	Schoepflin	Whittet
Coughlin	Higbie	McKeon	Schulz, F.F.	Wieman
Dinkelspiel	Hotaling	McNamee	Schulz, H	

Those who voted in the negative, were

Ainsworth	Chambers	Glenn	O'Grady	Stewart
Babcock	Cutler	Hoefer	Robson	Van Amber
Brownell	Fish	Kneeland	Smith, M. F.	Wray
Burtis	Fuller	Lawson	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1442) entitled "An act empowering the northside water commissioners of a fire district in a part of the town of Waterford, county of Saratoga, to contract with electric-light companies organized under the laws of this State, or with any person or persons, for lighting the streets and public highways in said district, and providing for the payment therefor by assessment, levy and collection thereof, upon the taxable property of such district'" (Int. No. 1264), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Hoysradt	O'Grady	Stein
Babcock	Fairbrother	Keck	Porter	Stevens
Baker	Finnigan	Keleher	Prescott	Stewart
Berry	Foley	Kelsey	Reilly	Stone
Braun	Friday	Kern	Rider, J.J.	Sulzer
Brownell	Fuller	Kerrigan	Robertson	Taylor
Bush	Gardiner	Kneeland	Robinson	Terry, J.F.
Cahill	Gleason	Lasch	Robson	Thompson
Callahan	Glenn	Lawson	Roche	Thornton
Cassin	Gould	Lee	Scanlon	Tilton

Clark, F.E.	Gray	Lounsbury	Schoepflin	Trainor
Conklin	Harrigan	Marrin	Schulz, F.F.	Tuttle
Coughlin	Herrman	Matthews	Schulz, H	Van Amber
Cutler	Higbie	McDermott	Seibert	Wells
Dean	Hobbie	Melody	Sherwood	Whittet
Denniston	Horton	Messiter	Smith, M. F.	Wieman
Dinkelspiel	Hotaling	Mittnacht	Smith, S.W.	Wray
Dowling	Houghton	O'Donnell	Southworth	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 963) entitled "An act to authorize the common council of the city of Buffalo to transfer Front avenue to the board of park commissioners as a park approach" (Rec. No. 455), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Nixon	Smith, S.W.
Babcock	Eldredge	Keenan	O'Grady	Southworth
Baker	Fairbrother	Kelcher	Parkhurst	Stadtfeld
Berry	Fish	Kelsey	Porter	Stein
Braun	Foley	Kerr	Prescott	Stevens
Brownell	Friday	Kern	Reilly	Stewart
Burtis	Fuller	Kerrigan	Rider, J.J.	Stone
Butts	Gardiner	Kneeland	Robbins	Sulzer
Cahill	Gerst	Lasch	Robertson	Taylor
Callahan	Gleason	Lawson	Robson	Terry, C.W.
Carroll	Glenn	Lounsbury	Roche	Terry, J.F.
Chambers	Gray	Loonan	Scanlon	Thompson
Chapman	Harrigan	Marrin	Schillinger	Thornton
Clark, J. H.	Herrman	Matthews	Schoepflin	Tilton
Conklin	Higbie	McKeon	Schulz, F.F.	Tobin
Coughlin	Hobbie	McNamee	Schulz, H	Tuttle
Cutler	Hoefler	Melody	Seibert	Vacheron
Davidson	Horton	Messiter	Sheffield	Van Amber
Dean	Hotaling	Mittnacht	Sherwood	Whittet
Denniston	Houghton	Myers	Smith, M.F.	Wray
Douglas				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1551) entitled "An act to amend chapter 231 of the Laws of 1876, entitled 'An act to make the office of supervisor in the county of Erie a salaried office'" (Int. No. 1353), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	O'Donnell	Stein
Babcock	Dinkelspiel	Keenan	O'Grady	Stevens
Baker	Dowling	Keleher	Parkhurst	Stewart
Berry	Eldredge	Kelsey	Plant	Stone
Braun	Fairbrother	Kern	Porter	Sulzer
Brownell	Foley	Kerrigan	Prescott	Taylor
Burtis	Friday	Kneeland	Rider, J.J.	Terry, C W.
Bush	Gardiner	Lasch	Robertson	Terry, J.F.
Butts	Gerst	Lawson	Robson	Thompson
Cahill	Glenn	Lee	Ryder, E.L.	Thornton
Callahan	Gould	Lounsbury	Schillinger	Tilton
Cassin	Harrigan	Marrin	Schulz, F.F.	Trainor
Chambers	Herrman	Matthews	Seibert	Vacheron
Clark, F.E.	Higbie	McDermott	Sheffield	Vehslage
Clark, J. H.	Hobbie	McNamee	Sherwood	Wells
Conklin	Hoefler	Melody	Smith, M.F.	Whittet
Corrigan	Horton	Messiter	Snyder	Wieman
Coughlin	Houghton	Mittnacht	Southworth	Wilcox
Davidson	Howe	Nixon	Stadtfeld	Wyckoff
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1013) entitled "An act to provide for the erection of a building for court purposes in the city of New York" (Rec. No. 449), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Kelsey	Parkhurst	Stein
Babcock	Eldredge	Kerr	Porter	Stevens
Baker	Finnigan	Kern	Prescott	Stewart
Berry	Foley	Kerrigan	Reilly	Stone
Braun	Friday	Kneeland	Rider, J.J.	Sulzer
Brownell	Fuller	Lasch	Robertson	Taylor
Bush	Gardiner	Lawson	Robson	Terry, C.W.
Butts	Gerst	Lee	Roche	Thompson
Cain	Glenn	Loonan	Ryder, E.L.	Thornton
Callahan	Gould	Marrin	Schoepflin	Tilton
Cassin	Harrigan	Matthews	Schulz, F.F.	Trainor
Chapman	Herrman	McKeon	Schulz, H	Tuttle
Clark, J. H.	Higbie	McNamee	Seibert	Van Amber
Conklin	Hoefer	Melody	Sheffield	Wells
Corrigan	Horton	Messiter	Smith, M.F.	Whittet
Cutler	Houghton	Mitnacht	Smith, S.W.	Wieman
Davidson	Howe	Myers	Snyder	Wilcox
Dean	Keck	Nixon	Southworth	Wray
Denniston	Keenan	O'Grady	Stadtfeld	Wyckoff
Dinkelspiel	Keleher			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1480) entitled "An act to correct manifest errors in the general laws" (Int. No. 1202), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Parkhurst	Stein
Babcock	Dowling	Keleher	Plant	Stevens
Baker	Fairbrother	Kelsey	Porter	Stewart
Berry	Fish	Kerr	Prescott	Sulzer
Braun	Foley	Kern	Rider, J.J.	Taylor
Brennan	Friday	Kneeland	Robbins	Terry, C.W.
Brownell	Fuller	La Fetra	Robertson	Terry, J.F.
Burtis	Gardiner	Lasch	Robson	Thompson

Butts	Gerst	Lawson	Ryder, E.L.	Thornton
Callahan	Glenn	Lee	Scanlon	Tilton
Carroll	Gould	Lounsbury	Schoepflin	Trainor
Cassin	Gray	Marrin	Schulz, F.F.	Tuttle
Chambers	Herrman	McDermott	Schulz, H	Vacheron
Clark, F.E.	Higbie	McKeon	Sherwood	Van Amber
Clark, J. H.	Hobbie	McNamee	Smith, M.F.	Wells
Conklin	Hoefler	Melody	Smith, S.W.	Whittet
Coughlin	Horton	Messiter	Snyder	Wilcox
Cutler	Hotaling	Nixon	Southworth	Wray
Dean	Houghton	O'Grady	Stadtfeld	Wyckoff
Denniston	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill (No. 1599) entitled "An act to provide for the annexation to the city of Brooklyn of the town of Gravesend, in Kings county" (Int. No. 1035), having been announced for a third reading,

On motion of Mr. Friday, said bill was laid aside.

The bill (No. 1579) entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the amount of the claim of Augustus Mackenzie against the State, and to make an award therefor" (Int. No. 1341), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Keck	Porter	Stevens
Baker	Dinkelspiel	Keleher	Prescott	Sulzer
Berry	Dowling	Kelsey	Rider, J.J.	Taylor
Braun	Fairbrother	Kerr	Robbins	Terry, C.W.
Brennan	Fish	Kern	Robertson	Terry, J.F.
Brownell	Friday	Kneeland	Robson	Thompson
Burtis	Fuller	La Fetra	Roche	Thornton
Butts	Gar diner	Lasch	Scanlon	Tilton
Cahill	Gerst	Lawson	Schoepflin	Trainor
Carroll	Gleason	Lee	Schulz, F.F.	Tuttle
Cassin	Glenn	Lounsbury	Seibert	Vacheron
Chambers	Gould	Marrin	Sheffield	Van Amber

Chapman	Gray	McDermott	Sherwood	Vehslage
Clark, F.E.	Herrman	Melody	Smith, M.F.	Wells
Clark, J. H.	Higbie	Messiter	Smith, S.W.	Whittet
Conklin	Hoefer	Myers	Snyder	Wieman
Corrigan	Horton	Nixon	Southworth	Wilcox
Cutler	Hotaling	O'Grady	Stadtfeld	Wray
Davidson	Houghton	Plant	Stein	Wyckoff
Dean	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1692) entitled "An act to amend the Penal Code, relating to authorized wearing of badges" (Int. No. 1133), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 5 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Porter	Sulzer
Babcock	Dinkelspiel	Keleher	Prescott	Taylor
Baker	Dowling	Kerr	Rider, J.J.	Terry, C W.
Berry	Eldredge	Kneeland	Robbins	Terry, J.F.
Braun	Fairbrother	La Fetra	Robertson	Thompson
Brownell	Fuller	Lasch	Robson	Thornton
Butts	Gerst	Lawson	Roche	Tilton
Cain	Gleason	Lee	Scanlon	Tobin
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Cassin	Gould	Loonan	Schulz, F.F.	Vacheron
Chambers	Gray	Marrin	Schulz, H	Van Amber
Chapman	Higbie	McKeon	Sherwood	Vehslage
Clark, F.E.	Hoefer	McNamee	Smith, M.F.	Wells
Clark, J. H.	Horton	Melody	Smith, S.W.	Whittet
Conklin	Hotaling	Myers	Snyder	Wieman
Coughlin	Houghton	Nixon	Stein	Wilcox
Cutler	Howe	O'Grady	Stewart	Wray
Davidson	Hoysradt	Parkhurst	Stone	Wyckoff
Dean				

Those who voted in the negative, were

Foley	Herrman	Kelsey	Matthews	Ryder, E.L.
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein,

The bill (No. 1246) entitled "An act to amend chapter 543 of the Laws of 1888, entitled 'An act for the protection of dealers in monuments, gravestones, enclosures or other structures in cemeteries'" (Int. No. 1108), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
 { NOES 7 }

Those who voted in the affirmative, were

Ainsworth	Coughlin	Higbie	Melody	Stadtfeld
Babcock	Davidson	Hobbie	Myers	Stein
Baker	Denniston	Hoefer	O'Grady	Stewart
Berry	Dinkelspiel	Horton	Parkhurst	Stone
Braun	Dowling	Houghton	Plant	Sulzer
Brownell	Fairbrother	Howe	Porter	Taylor
Burtis	Fish	Keck	Reilly	Terry, J.F.
Butts	Foley	Keenan	Robson	Thornton
Cain	Friday	Kerr	Roche	Tobin
Callahan	Fuller	La Petra	Ryder, E.L.	Trainor
Carroll	Gardiner	Lasch	Schoepflin	Tuttle
Cassin	Gerst	Lawson	Schulz, F.F.	Van Amber
Chambers	Gleason	Loonan	Schulz, H	Vehslage
Clark, F.E.	Glenn	Marrin	Smith, M.F.	Whittet
Clark, J. H.	Gould	McDermott	Smith, S.W.	Wieman
Conklin	Gray	McKeon	Snyder	Wray
Corrigan	Harrigan	McNamee	Southworth	Wyckoff

Those who voted in the negative, were

Hotaling	Lee	Robbins	Terry, G.W.	Tilton
Kelsey	Rider, J.J.			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1600) entitled "An act to amend section 1925 of the Code of Civil Procedure, in relation to maintaining actions to prevent waste of public funds" (Int. No. 1457), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	O'Grady	Stein
Babcock	Dinkelspiel	Keleher	Parkhurst	Stone
Baker	Eldredge	Kelsey	Plant	Sulzer
Berry	Fairbrother	Kerr	Porter	Taylor
Braun	Fish	Kern	Reilly	Terry, C. W
Brennan	Foley	La Fetra	Rider, J.J.	Terry, J.F.
Brownell	Friday	Lasch	Robbins	Thornton
Burtis	Fuller	Lawson	Robertson	Tilton
Bush	Gardiner	Lee	Robson	Tobin
Butts	Gerst	Lounsbury	Roche	Trainor
Cain	Gleason	Loonan	Ryder, E.L.	Tuttle
Carroll	Glenn	Marrin	Schoepflin	Vacheron
Cassin	Gould	Matthews	Schulz, F.F.	Van Amber
Chambers	Gray	McDermott	Seibert	Vehslage
Chapman	Harrigan	McKeon	Sherwood	Whittet
Clark, F.E.	Higbie	McNamee	Smith, M.F.	Wieman
Conklin	Hoefler	Melody	Smith, S.W.	Wray
Corrigan	Horton	Messiter	Snyder	Wyckoff
Cutler	Houghton	Myers	Southworth	Speaker
Davidson	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1705) entitled "An act to authorize religious corporations organized under the provisions of chapter 60 of the Laws of 1813, or of any acts amendatory thereof or supplementary thereto, or under any special act or charter to convey their property to the Brooklyn church society of the Methodist Episcopal church" (Int. No. 1336), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Nixon	Snyder
Babcock	Dinkelspiel	Houghton	O'Grady	Southworth
Baker	Dowling	Howe	Parkhurst	Stein
Berry	Eldredge	Keck	Plant	Stevens
Braun	Fairbrother	Keleher	Porter	Stone

Brennan	Fish	Kelsey	Prescott	Sulzer
Brownell	Foley	Kerr	Reilly	Terry, C.W.
Burtis	Friday	Kneeland	Rider, J.J.	Terry, J.F.
Bush	Fuller	La Fetra	Robbins	Thornton
Butts	Gardiner	Lasch	Robertson	Tilton
Cain	Gerst	Lawson	Robinson	Tobin
Callahan	Gleason	Lee	Robson	Trainor
Carroll	Glenn	Lounsbury	Roche	Tuttle
Cassin	Gould	Loonan	Schoepflin	Vacheron
Chambers	Gray	Marrin	Schulz, F.F.	Van Amber
Clark, F.E.	Harrigan	Matthews	Schulz, H	Vehslage
Clark, J. H.	Herrman	McDermott	Seibert	Whittet
Conklin	Higbie	McKeon	Sherwood	Wieman
Corrigan	Hobbie	McNamee	Smith, M.F.	Wray
Coughlin	Hoefler	Melody	Smith, S.W.	Wyckoff
Davidson	Horton	Messiter		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1153) entitled "An act to amend the Penal Code, relating to the sale and use of opium, morphine, chloral, cocaine and medicines and preparations containing such drugs, by pharmacists, apothecaries, druggists, physicians, surgeons, dentists or other persons" (Int. No. 1019), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	88	}
{	NOES	4	}

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Messiter	Snyder
Babcock	Eldredge	Howe	Myers	Southworth
Baker	Fairbrother	Keck	O'Grady	Stein
Braun	Finnigan	Kelcher	Parkhurst	Stone
Brennan	Fish	Kelsey	Porter	Sulzer
Brownell	Foley	Kerr	Reilly	Taylor
Burtis	Friday	Kern	Rider, J.J.	Terry, C.W.
Cain	Fuller	Kneeland	Robbins	Terry, J.F.
Cassin	Gardiner	La Fetra	Robson	Thompson
Chambers	Gerst	Lasch	Roche	Thornton
Clark, F.E.	Gleason	Lawson	Scanlon	Tilton
Conklin	Gould	Lee	Schoepflin	Trainor
Corrigan	Gray	Lounsbury	Schulz, F.F.	Tuttle

Coughlin	Harrigan	Marrin	Schulz, H	Vehslage
Cutler	Herrman	McDermott	Seibert	Wieman
Davidson	Hoefler	McKeon	Sherwood	Wray
Dinkelspiel	Horton	McNamee	Smith, S.W.	Wyckoff
Douglas	Hotaling	Melody		

Those who voted in the negative, were

Bush Ryder, E.L. Van Amber Whittet

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1555) entitled "An act relating to the office of highway commissioner" (Int. No. 1357), having been announced for a third reading,

On motion of Mr. Cutler, said bill was laid aside.

The bill (No. 279) entitled "An act to amend the game law, relating to stocking from streams" (Int. No. 275), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 100 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	O'Grady	Southworth
Babcock	Douglas	Howe	Parkhurst	Stadtfield
Baker	Dowling	Keck	Plant	Stein
Berry	Eldredge	Keleher	Porter	Stone
Braun	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Brennan	Fish	Kerr	Robbins	Taylor
Brownell	Foley	Kern	Robertson	Terry, C.W.
Burtis	Fuller	Kneeland	Robson	Terry, J.F.
Bush	Gardiner	La Fetra	Roche	Thompson
Butts	Gerst	Lasch	Ryder, E.L.	Thornton
Callahan	Gleason	Lawson	Schoepflin	Tilton
Carroll	Glenn	Lee	Schulz, F.F.	Tobin
Cassin	Gould	Lounsbury	Schulz, H	Trainor
Chambers	Gray	Marrin	Seibert	Tuttle
Clark, F.E.	Harrigan	McDermott	Sheffield	Van Amber
Clark, J. H.	Herrman	McKeon	Sherwood	Whittet
Conklin	Higbie	Melody	Smith, M. F.	Wieman
Cutler	Hoefler	Messiter	Smith, S.W.	Wray
Davidson	Horton	Myers	Snyder	Wyckoff
Denniston	Hotaling			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1694) entitled "An act to amend chapter 348 of the Laws of 1893, entitled 'An act to establish an institution for the care and custody of unteachable idiots'" (Int. No. 1460), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Parkhurst	Stadtfield
Babcock	Dowling	Keenan	Plant	Stein
Baker	Eldredge	Keleher	Porter	Stevens
Berry	Fairbrother	Kelsey	Prescott	Stone
Braun	Fish	Kerr	Rider, J.J.	Sulzer
Brownell	Foley	Kern	Robbins	Taylor
Burtis	Friday	Kneeland	Robinson	Terry, C.W.
Bush	Fuller	La Petra	Robson	Terry, J.F.
Butts	Gardiner	Lasch	Roche	Thornton
Cain	Gerst	Lawson	Ryder, E.L.	Tilton
Carroll	Gleason	Lee	Scanlon	Tobin
Cassin	Gould	Lounsbury	Schoepflin	Trainor
Chambers	Gray	Loonan	Schulz, F.F.	Tuttle
Clark, F.E.	Harrigan	Marrin	Schulz, H	Van Amber
Conklin	Herrman	McDermott	Seibert	Vehslage
Corrigan	Higbie	McKeon	Sheffield	Wells
Coughlin	Hoefler	McNamee	Smith, M.F.	Whittet
Cutler	Horton	Melody	Smith, S.W.	Wieman
Davidson	Hotaling	Messiter	Snyder	Wray
Denniston	Houghton	Myers	Southworth	Wyckoff
Dinkel Spiel	Howe	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1549) entitled "An act to amend sections 10 and 11 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of

the streets, avenues, public places, wharves, piers and heads of slips in said city'" (Int. No. 1351), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 } \

Those who voted in the affirmative, were

Ainsworth	Davidson	Hotaling	Messiter	Stadtfeld
Babcock	Dinkelspiel	Houghton	Myers	Stein
Baker	Douglas	Howe	O'Donnell	Stevens
Berry	Dowling	Keck	O'Grady	Stewart
Braun	Eldredge	Keenan	Parkhurst	Sulzer
Brownell	Fairbrother	Keleher	Porter	Taylor
Burtis	Fish	Kelsey	Reilly	Terry, C.W.
Bush	Foley	Kerr	Robbins	Terry, J.F.
Butts	Friday	Kern	Robinson	Thompson
Cahill	Fuller	La Fetra	Robson	Thornton
Cain	Gardiner	Lasch	Roche	Tilton
Cassin	Gerst	Lawson	Scanlon	Tobin
Chambers	Gleason	Lee	Schoepflin	Trainor
Chapman	Glenn	Lounsbury	Schulz, F.F.	Tuttle
Clark, F.E.	Gould	Loonan	Schulz, H	Van Amber
Clark, J. H.	Gray	Marrin	Seibert	Vehslage
Conklin	Herrman	Matthews	Smith, M.F.	Whittet
Corrigan	Higbie	McDermott	Smith, S.W.	Wieman
Coughlin	Hoefler	McNamee	Snyder	Wyckoff
Cutler	Horton	Melody	Southworth	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1526) entitled "An act to repeal chapter 526 of the Laws of 1869, entitled 'An act to establish a uniform width of tracks for vehicles using the public highways in the town of East Hampton and South Hampton, Suffolk county'" (Int. No. 1338), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Myers	Southworth
Babcock	Douglas	Howe	O'Donnell	Stadtfeld
Baker	Dowling	Keck	O'Grady	Stein
Berry	Eldredge	Keenan	Parkhurst	Stone
Braun	Fairbrother	Keleher	Porter	Sulzer
Brownell	Fish	Kelsey	Prescott	Taylor
Burtis	Foley	Kerr	Reilly	Terry, C.W.
Bush	Fuller	Kern	Rider, J.J.	Terry, J.F.
Butts	Gardiner	La Fetra	Robbins	Thompson
Cain	Gerst	Lasch	Robertson	Thornton
Carroll	Gleason	Lawson	Robson	Tilton
Cassin	Gould	Lee	Roche	Tobin
Chambers	Gray	Lounsbury	Ryder, E.L.	Trainor
Clark, F.E.	Harrigan	Loonan	Schoepflin	Tuttle
Clark, J. H.	Hennessy	Marrin	Schulz, F.F.	Van Amber
Conklin	Higbie	Matthews	Schulz, H	Vehslage
Corrigan	Hobbie	McDermott	Seibert	Whittet
Coughlin	Hoefler	McNamee	Smith, M.F.	Wieman
Cutler	Horton	Melody	Smith, S.W.	Wyckoff
Davidson	Hotaling	Messiter	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1373) entitled "An act to further amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888, and chapter 531 of the Laws of 1890, relating to a pension fund for the police department of said city" (Int. No. 1214), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Parkhurst	Stein
Babcock	Dowling	Keenan	Reilly	Stevens
Baker	Eldredge	Keleher	Rider, J.J.	Stone

Berry	Fish	Kelsey	Robbins	Sulzer
Braun	Foley	Kerr	Robertson	Taylor
Brownell	Friday	Kern	Robson	Perry, C.W.
Burtis	Fuller	La Fetra	Roche	Terry, J.F.
Bush	Gerst	Lasch	Ryder, E.L.	Thompson
Butts	Gleason	Lawson	Scanlon	Thornton
Cahill	Glenn	Lounsbury	Schoepflin	Tilton
Cain	Gould	Loonan	Schulz, F.F.	Tobin
Carroll	Gray	Marrix	Schulz, H	Trainor
Cassin	Harrigan	Matthews	Seibert	Tuttle
Chambers	Higbie	McDermott	Sherwood	Van Amber
Clark, F.E.	Hobbie	McNamee	Smith, M.F.	Vehslage
Conklin	Hoefer	Melody	Smith, S.W.	Whittet
Coughlin	Horton	Messiter	Snyder	Wieman
Cutler	Hotaling	Mittnacht	Southworth	Wray
Davidson	Houghton	O'Grady	Stadtfeld	Wyckoff
Dinkelspiel	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Foley gave notice that at some future day he would move to suspend Assembly rules 3, 15, 16, 17, 28, 29 and 49 for the purpose of reading out of its order Senate bill No. 1022, entitled "An act relating to the jurisdiction of the Board of Claims" (Rec. No. 394), now on the order of third reading.

The bill (No. 1283) entitled "An act relating to an approach to the Washington bridge in the city of New York, known as Boscobel avenue" (Int. No. 1166), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Houghton	Parkhurst	Southworth
Babcock	Dinkelspiel	Howe	Porter	Stadtfeld
Baker	Douglas	Keenan	Prescott	Stein
Berry	Dowling	Keleher	Reilly	Stevens
Braun	Eldredge	Kelsey	Rider, J.J.	Taylor
Brownell	Fish	Kerr	Robbins	Terry, C.W.
Burtis	Foley	Kern	Robertson	Thompson
Bush	Friday	Kneeland	Robson	Thornton
Butts	Fuller	La Fetra	Roche	Tilton

Cahill	Gardiner	Lasch	Scanlon	Tobin
Carroll	Gleason	Lounsbury	Schoepflin	Trainor
Cassin	Gould	Loonan	Schulz, F.F.	Tuttle
Chambers	Gray	Marrin	Schulz, H	Van Amber
Chapman	Harrigan	McKeon	Seibert	Vehslage
Clark, F.E.	Herrman	McNamee	Sherwood	Whittet
Conklin	Higbie	Melody	Smith, M.F.	Wieman
Corrigan	Hoefler	Myers	Smith, S.W.	Wray
Coughlin	Horton	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish in the chair.

The bill (No. 1644) entitled "An act to amend section 1338 of the Code of Civil Procedure, relative to appeals" (Int. No. 1408), having been announced for a third reading,

On motion of Mr. Ainsworth, said bill was laid aside.

The bill (No. 1637) entitled "An act to amend chapter 238 of the Laws of 1890, entitled 'An act to provide for the establishment of a house of refuge for women in Western New York'" (Int. No. 1401), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Howe	O'Grady	Southworth
Babcock	Dinkelspiel	Hoysradt	Porter	Stadtfeld
Baker	Douglas	Keenan	Prescott	Stein
Berry	Dowling	Keleher	Reilly	Stevens
Braun	Eldredge	Kelsey	Rider, J.J.	Stone
Brennan	Fish	Kerr	Robbins	Taylor
Brownell	Foley	Kern	Robertson	Terry, C.W.
Burtis	Friday	Kneeland	Robson	Terry, J.F.
Bush	Gardiner	La Fetra	Roche	Thompson
Butts	Gerst	Lasch	Ryder, E.L.	Tilton
Cain	Gleason	Lawson	Scanlon	Tobin
Carroll	Gould	Lee	Schoepflin	Tuttle
Cassin	Gray	Lounsbury	Schulz, F.F.	Van Amber
Chambers	Higbie	Loonan	Schulz, H	Vehslage
Chapman	Hoefler	Marrin	Sherwood	Whittet
Clark, F.E.	Horton	McNamee	Smith, M.F.	Wieman

Conklin	Hotaling	Melody	Smith, S.W.	Wray
Corrigan	Houghton	Messiter	Snyder	Wyckoff
Coughlin				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1521) entitled "An act to authorize the board of street opening and improvement of the city of New York, to establish a public place on the southeasterly projection of Cedar park in said city, for the convenience of public travel and traffic" (Int. No. 1322), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keenan	O'Grady	Snyder
Babcock	Douglas	Keleher	Parkhurst	Southworth
Baker	Dowling	Kelsey	Porter	Stadtfeld
Berry	Eldredge	Kerr	Prescott	Stein
Braun	Fish	Kern	Reilly	Stevens
Brennan	Foley	Kneeland	Rider, J.J.	Stone
Brownell	Friday	La Fetra	Robbins	Terry, C W.
Burtis	Fuller	Lasch	Robertson	Terry, J.F.
Bush	Gerst	Lawson	Robson	Thompson
Butts	Gleason	Lee	Roche	Tilton
Carroll	Gould	Lounsbury	Ryder, E.L.	Tobin
Cassin	Gray	Loonan	Scanlon	Trainor
Chambers	Herrman	Marrin	Schoepflin	Tuttle
Chapman	Hoefler	Matthews	Schulz, F.F.	Van Amber
Clark, F.E.	Horton	McDermott	Schulz, H	Vehslage
Conklin	Hotaling	McKeon	Seibert	Whittet
Corrigan	Houghton	McNamee	Sherwood	Wieman
Coughlin	Howe	Melody	Smith, M.F.	Wyckoff
Davidson	Hoysradt	Messiter	Smith, S.W.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1563) entitled "An act to amend the Penal Code, relative to 'lotteries'" (Int. No. 1369), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Grady	Stein
Babcock	Dinkelspiel	Howe	Parkhurst	Stevens
Baker	Douglas	Keck	Porter	Stewart
Berry	Eldredge	Keleher	Prescott	Stone
Braun	Fairbrother	Kelsey	Reilly	Sulzer
Brownell	Finnigan	Kerr	Robbins	Terry, C.W.
Burtis	Fish	Kern	Robertson	Terry, J.F.
Bush	Friday	Kneeland	Robson	Thompson
Butts	Fuller	Lasch	Roche	Thornton
Callahan	Gardiner	Lawson	Scanlon	Trainor
Carroll	Gerst	Lee	Schoepflin	Tuttle
Chambers	Glenn	Lounsbury	Schulz, F.F.	Vacheron
Chapman	Gould	Marrin	Seibert	Van Amber
Clark, F.E.	Gray	Matthews	Sheffield	Wells
Clark, J. H.	Herrman	McKeon	Sherwood	Whittet
Conklin	Higbie	Melody	Smith, M.F.	Wilcox
Coughlin	Hobbie	Messiter	Smith, S.W.	Wray
Cutler	Hoefler	Myers	Snyder	Wyckoff
Dean	Horton	Nixon	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1607) entitled "An act conferring upon voters in municipal corporations the power of legislation by direct vote" (Int. No. 1330), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefler	Parkhurst	Stadtfeld
Babcock	Denniston	Horton	Porter	Stein
Baker	Dinkelspiel	Houghton	Prescott	Stevens
Berry	Douglas	Howe	Rider, J.J.	Stewart
Brennan	Eldredge	Keck	Robbins	Stone
Brownell	Fairbrother	Kern	Robertson	Taylor
Burtis	Finnigan	Kneeland	Robson	Terry, C.W.

Bush	Friday	Lawson	Roche	Thompson
Butts	Fuller	Lounsbury	Scanlon	Thornton
Callahan	Gardiner	Marrin	Schoepflin	Tobin
Carroll	Glenn	Matthews	Schulz, F.F.	Tuttle
Chambers	Gould	McKeon	Schulz, H	Van Amber
Chapman	Gray	Melody	Seibert	Wells
Clark, J. H.	Harrigan	Messiter	Sheffield	Whittet
Conklin	Herrman	Myers	Smith, M.F.	Wieman
Coughlin	Higbie	Nixon	Smith, S.W.	Wilcox
Cutler	Hobbie	O'Grady	Snyder	Wyckoff
Davidson				

Those who voted in the negative, were

Fish Keenan Kelsey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth moved to extend the time of the session to 7.30 P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1608) entitled "An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws,' as amended by chapter 434 of the Laws of 1893" (Int. No. 432), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Porter	Stein
Babcock	Eldredge	Keleher	Prescott	Stevens
Baker	Fairbrother	Kelsey	Rider, J.J.	Stewart
Braun	Fish	Kerr	Robbins	Stone
Brownell	Friday	Kern	Robertson	Taylor
Burtis	Fuller	Kneeland	Robson	Terry, C.W.
Butts	Gardiner	Lasch	Roche	Terry, J.F.
Callahan	Gerst	Lawson	Ryder, E.L.	Thornton
Cassin	Glenn	Lee	Scanlon	Tilton
Chambers	Gould	Lounsbury	Schoepflin	Trainor
Clark, F.E.	Gray	Marrin	Schulz, F.F.	Tuttle

Clark, J. H.	Harrigan	Matthews	Seibert	Vacheron
Conklin	Herrman	McKeon	Sheffield	Van Amber
Corrigan	Higbie	Melody	Sherwood	Wells
Coughlin	Hobbie	Messiter	Smith, M.F.	Wleman
Cutler	Hoefler	Myers	Smith, S.W.	Wilcox
Dean	Horton	Nixon	Snyder	Wray
Denniston	Houghton	O'Grady	Stadtfeld	Wyckoff
Dinkelspiel	Howe	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1573) entitled "An act to amend the banking law relating to securities in which deposits may be invested" (Int. No. 1334), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Parkhurst	Stein
Babcock	Douglas	Keck	Porter	Stevens
Baker	Eldredge	Keleher	Prescott	Stewart
Berry	Fairbrother	Kelsey	Rider, J.J.	Stone
Braun	Fish	Kerr	Robbins	Sulzer
Brownell	Friday	Kern	Robertson	Terry, C.W.
Burtis	Fuller	Kneeland	Robson	Terry, J.F.
Butts	Gardiner	Lasch	Roche	Thornton
Cain	Gerst	Lawson	Scanlon	Tilton
Carroll	Gleason	Lee	Schoepflin	Trainor
Chambers	Glenn	Lounsbury	Schulz, F.F.	Tuttle
Chapman	Gould	Marrin	Seibert	Vacheron
Clark, F.E.	Gray	Matthews	Sheffield	Van Amber
Conklin	Herrman	McKeon	Sherwood	Wells
Coughlin	Higbie	Melody	Smith, M.F.	Whittet
Cutler	Hobbie	Messiter	Smith, S.W.	Wilcox
Davidson	Hoefler	Mittnacht	Snyder	Wray
Dean	Horton	Myers	Stadtfeld	Wyckoff
Denniston	Houghton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1711) entitled "An act to amend chapter 266 of

the Laws of 1894, relating to interference with convicts employed on the public highways" (Int. No. 1470), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hoefler	Messiter	Smith, S.W.
Babcock	Denniston	Horton	Myers	Stadtfeld
Baker	Dinkelspiel	Hotaling	Nixon	Stein
Berry	Douglas	Howe	O'Grady	Stewart
Braun	Eldredge	Keck	Parkhurst	Stone
Brownell	Fairbrother	Keenan	Plant	Sulzer
Burtis	Finnigan	Kelsey	Prescott	Terry, C.W.
Bush	Fish	Kerr	Rider, J.J.	Thompson
Butts	Friday	Kern	Robertson	Tilton
Cain	Fuller	Kerrigan	Robinson	Trainor
Callahan	Gardiner	Kneeland	Roche	Tuttle
Carroll	Gerst	Lasch	Scanlon	Vacheron
Chambers	Glenn	Lawson	Schoepflin	Van Amber
Chapman	Gould	Lee	Schulz, F.F.	Wells
Clark, J. H.	Gray	Loonan	Seibert	Wieman
Conklin	Herrman	Matthews	Sheffield	Wilcox
Coughlin	Higbie	McNamee	Sherwood	Wyckoff
Cutler	Hobbie	Melody	Smith, M.F.	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1044) entitled "An act to revise, amend and consolidate the several acts relating to the village of Oneida, and to repeal certain acts and parts of acts" (Rec. No. 397), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Hoysradt	Parkhurst	Stadtfeld
Babcock	Fairbrother	Keck	Porter	Stein
Baker	Finnigan	Keleher	Prescott	Stevens

Braun	Fish	Kelsey	Rider, J.J.	Stewart
Brennan	Friday	Kerr	Robbins	Stone
Burtis	Fuller	Kern	Robertson	Sulzer
Bush	Gardiner	Kneeland	Robson	Perry, C.W.
Butts	Gerst	Lasch	Roche	Thorpson
Callahan	Glenn	Lawson	Ryder, E.L.	Thornton
Carroll	Gould	Lee	Schillinger	Tilton
Chambers	Gray	Lounsbury	Schoepflin	Trainor
Clark, F.E.	Herrman	Marrin	Schulz, H	Tuttle
Clark, J. H.	Higbie	Matthews	Seibert	Vacheron
Conklin	Hoefler	McKeon	Sheffield	Van Amber
Cutler	Horton	Melody	Sherwood	Wells
Davidson	Hotaling	Messiter	Smith, M.F.	Wieman
Denniston	Houghton	Myers	Smith, S.W.	Wilcox
Dinkelspiel	Howe	O'Grady	Snyder	Wyckoff
Douglas				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1611) entitled "An act to limit the powers of constables and to extend the powers of the members of the police force in criminal actions and proceedings in the county of Richmond" (Int. No. 964), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Hobbie	O'Grady	Snyder
Babcock	Dean	Horton	Parkhurst	Stadtfeld
Baker	Denniston	Hotaling	Porter	Stevens
Braun	Dinkelspiel	Houghton	Prescott	Stewart
Brennan	Dowling	Howe	Rider, J.J.	Stone
Brownell	Eldredge	Keck	Robbins	Sulzer
Burtis	Fairbrother	Kelsey	Robertson	Terry, C.W.
Bush	Fish	Kerr	Robson	Thompson
Butts	Friday	Kern	Ryder, E.L.	Thornton
Cain	Fuller	Kneeland	Scanlon	Tilton
Callahan	Gardiner	Lawson	Schoepflin	Tuttle
Carroll	Gerst	Lee	Schulz, F.F.	Vacheron
Chambers	Glenn	Lounsbury	Schulz, H	Van Amber
Clark, F.E.	Gould	Matthews	Sheffield	Wells

Clark, J. H.	Gray	Melody	Sherwood	Wieman
Conklin	Herrman	Messiter	Smith, M.F.	Wray
Coughlin	Higbie	Myers	Smith, S.W.	Wyckoff

In the negative,
Southworth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1612) entitled "An act to provide for a county auditor and to regulate the purchase of supplies for the county institutions and officers of the county of Erie" (Int. No. 1352), having been announced for a third reading,

Mr. Schoepflin moved to amend said bill as follows :

At the end of section 1 insert the words "If any member of the board of supervisors shall be elected as such county auditor he shall immediately upon entering upon the duties of county auditor resign his office as supervisor."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	85	}
{	NOES	00	}

Those who voted in the affirmative, were

Babcock	Douglas	Keck	Parkhurst	Stadtfeld
Baker	Eldredge	Keenan	Porter	Stein
Braun	Fairbrother	Kelsey	Prescott	Stewart
Brennan	Fish	Kerr	Rider, J.J.	Stone
Brownell	Friday	Kern	Robbins	Sulzer
Burtis	Fuller	Kneeland	Robertson	Terry, C W.
Cain	Gardiner	Lasch	Robson	Terry, J.F.
Callahan	Gerst	Lawson	Roche	Thornton
Carroll	Glenn	Lounsbury	Seanlon	Tilton
Chambers	Gould	Marrin	Schoepflin	Trainor
Clark, F.E.	Gray	Matthews	Schulz, F.F.	Tuttle
Clark, J. H.	Herrman	McKeon	Seibert	Vacheron
Conklin	Higbie	Melody	Sheffield	Van Amber
Coughlin	Hoefler	Messiter	Sherwood	Wells
Cutler	Horton	Myers	Smith, M.F.	Whittet
Dean	Houghton	Nixon	Smith, S.W.	Wilcox
Denniston	Howe	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1689) entitled "An act for the erection at the State Normal and Training School at Geneseo, New York, of a new building to be used for the scientific department and other purposes, and also an additional, separate building for a furnace and boiler-house for heating the several buildings of said school, and making an appropriation therefor" (Int. No. 717), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present

{ AYES 86 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Howe	O'Grady	Stadtfeld
Baker	Eldredge	Keck	Plant	Stein
Braun	Fairbrother	Keleher	Porter	Stewart
Brennan	Fish	Kerr	Prescott	Stone
Brownell	Friday	Kern	Rider, J.J.	Sulzer
Burtis	Fuller	Kneeland	Robertson	Terry, C.W.
Butts	Gardiner	Lasch	Robson	Terry, J.F.
Cahill	Gerst	Lawson	Ryder, E.L.	Thompson
Callahan	Glenn	Lee	Scanlon	Thornton
Carroll	Gould	Lounsbury	Schoepflin	Tilton
Chambers	Gray	Marrin	Schulz, F.F.	Tuttle
Chapman	Herrman	Matthews	Seibert	Vacheron
Clark, J. H.	Hobbie	McKeon	Sheffield	Van Amber
Conklin	Hoefler	Melody	Sherwood	Wells
Coughlin	Horton	Messiter	Smith, M.F.	Wieman
Cutler	Hotaling	Myers	Smith, S.W.	Wray
Dean	Houghton	O'Donnell	Snyder	Wyckoff
Denniston				

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1728) entitled "An act to amend chapter 267 of the Laws of 1871, entitled 'An act to authorize a public cemetery in the town of Williamstown, Oswego county'" (Int. No. 1473), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Melody	Stadtfeld
Babcock	Denniston	Hotaling	Mittnacht	Stein
Baker	Douglas	Houghton	Nixon	Stevens
Braun	Dowling	Howe	O'Grady	Stewart
Brennan	Eldredge	Keck	Plant	Stone
Brownell	Fairbrother	Keleher	Porter	Taylor
Burtis	Finnigan	Kelsey	Prescott	Terry, J.F.
Bush	Fish	Kerr	Rider, J.J.	Thornton
Butts	Friday	Kern	Robbins	Tilton
Cain	Fuller	Kneeland	Robinson	Trainor
Callahan	Gardiner	Lasch	Ryder, E.L.	Tuttle
Carroll	Gerst	Lawson	Scanlon	Vacheron
Chambers	Glenn	Lee	Schoepflin	Vehslage
Chapman	Gould	Lounsbury	Schulz, H	Wells
Clark, F.E.	Gray	Marrin	Seibert	Wieman
Clark, J. H.	Herrman	Matthews	Sherwood	Wilcox
Conklin	Higbie	McKeon	Smith, M.F.	Wray
Cutler	Hoefler	McNamee	Smith, S.W.	Wyckoff
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1702) entitled "An act to amend the Code of Civil Procedure, relating to jurisdiction of justices of the peace" (Int. No. 1360), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Parkhurst	Stein
Babcock	Douglas	Howe	Porter	Stevens
Baker	Eldredge	Keck	Prescott	Stewart
Braun	Fairbrother	Kelsey	Rider, J.J.	Stone
Brennan	Finnigan	Kerr	Robbins	Taylor
Burtis	Fish	Kern	Robertson	Terry, J.F.
Butts	Friday	Kneeland	Robson	Thompson

Cahill	Fuller	Lawson	Ryder, E.L.	Tilton
Callahan	Gardiner	Lee	Scanlon	Trainor
Carroll	Gerst	Lounsbury	Schoepflin	Tuttle
Cassin	Glenn	Loonan	Schulz, H	Vacheron
Chapman	Gould	Matthews	Seibert	Van Amber
Clark, F.E.	Gray	McDermott	Sheffield	Wells
Clark, J.H.	Herrman	Melody	Smith, M.F.	Whittet
Conklin	Higbie	Messiter	Smith, S.W.	Wieman
Coughlin	Hobbie	Myers	Snyder	Wray
Cutler	Horton	Nixon	Stadtfield	Wyckoff
Dean	Hotaling	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1687) entitled "An act in relation to the destruction by fire or heat of all animal and vegetable refuse and garbage in towns and villages having over 10,000 inhabitants." (Int. No. 1456), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 {
 { NOES 00 {

Those who voted in the affirmative, were

Ainsworth	Dowling	Houghton	Parkhurst	Stadtfield
Babcock	Eldredge	Howe	Porter	Stevens
Baker	Fairbrother	Keck	Prescott	Stone
Braun	Fish	Kelsey	Rider, J.J.	Sulzer
Brennan	Friday	Kern	Robbins	Terry, C.W
Burtis	Fuller	Kneeland	Robertson	Terry, J.F.
Bush	Gardiner	Lawson	Robson	Thompson
Butts	Gerst	Lee	Ryder, E.L.	Thornton
Cain	Glenn	Lounsbury	Scanlon	Tobin
Carroll	Gould	Marrin	Schoepflin	Tuttle
Chambers	Gray	Matthews	Schulz, H	Vacheron
Clark, F.E.	Hennessy	McKeon	Seibert	Van Amber
Clark, J.H.	Higbie	Melody	Sheffield	Wells
Conklin	Hobbie	Messiter	Sherwood	Whittet
Cutler	Hoefler	Myers	Smith, M.F.	Wilcox
Davidson	Horton	Nixon	Smith, S.W.	Wray
Denniston	Hotaling	O'Grady	Snyder	Wyckoff
Dinkelspiel				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1517) entitled "An act to establish and settle the pier-head and bulkhead lines along the easterly shore of New York harbor, at Bay Ridge, in the town of New Utrecht, in the county of Kings" (Int. No. 1318), having been announced for a third reading.

Mr. Finnigan moved to amend said bill as follows:

Page 6, line 12, after the word "harbor" insert the words "or laid down on the commissioner's map for laying out streets and avenues in the towns of Kings county, which said map is filed in the office of the register of said county."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Nixon	Stadtfeld
Babcock	Dinkelspiel	Houghton	O'Grady	Stein
Baker	Dowling	Howe	Parkhurst	Stevens
Braun	Eldredge	Keck	Porter	Stewart
Brennan	Fairbrother	Keleher	Prescott	Stone
Brownell	Finnigan	Kelsey	Rider, J.J.	Sulzer
Burtis	Fish	Kern	Robbins	Terry, C.W.
Bush	Friday	Kerrigan	Robson	Thompson
Butts	Fuller	Kneeland	Roche	Thornton
Cain	Gardiner	Lawson	Scanlon	Tilton
Callahan	Gerst	Lounsbury	Schoepflin	Trainor
Carroll	Glenn	Marrin	Schulz, F.F.	Tuttle
Chambers	Gould	Matthews	Seibert	Vacheron
Chapman	Gray	McKeon	Sheffield	Van Amber
Clark, J. H.	Herrman	McNamee	Sherwood	Wells
Conklin	Higbie	Melody	Smith, M.F.	Whittet
Coughlin	Hobbie	Messiter	Smith, S.W.	Wilcox
Cutler	Hoefer	Myers	Snyder	Wyckoff
Dean	Horton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1625) entitled "An act to locate the office of the clerk of the town of Ausable" (Int. No. 1385), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Porter	Stein
Babcock	Douglas	Keleher	Prescott	Stevens
Baker	Eldredge	Kelsey	Rider, J.J.	Stewart
Berry	Fairbrother	Kern	Robbins	Stone
Brennan	Finnigan	Kerrigan	Robertson	Sulzer
Brownell	Fish	Kneeland	Robinson	Terry, C.W.
Burtis	Friday	Lasch	Roche	Terry, J.F.
Bush	Fuller	Lawson	Ryder, E.L.	Thompson
Butts	Gardiner	Lounsbury	Scanlon	Thornton
Cain	Gerst	Marrin	Schoepflin	Tobin
Callahan	Glenn	Matthews	Schulz, F.F.	Trainor
Cassin	Gould	McKeon	Seibert	Vacheron
Chambers	Gray	McNamee	Sheffield	Van Amber
Chapman	Herrman	Melody	Sherwood	Wells
Clark, J. H.	Higbie	Messiter	Smith, M.F.	Whittet
Conklin	Hoefer	Myers	Smith, S.W.	Wilcox
Coughlin	Horton	Nixon	Snyder	Wray
Cutler	Hotaling	O'Grady	Stadtfeld	Wyckoff
Denniston	Howe	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1718) entitled "An act to amend chapter 287 of the Laws of 1879, entitled 'An act to provide for the formation of county and town corporation insurance companies'" (Int. No. 1204), reported the same with the recommendation that the following be substituted therefor:

AN ACT to amend the insurance law.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two hundred and sixty-six of the insurance law is hereby amended to read as follows:

§ 266. Policies of insurance.—The directors of every such cor-

poration may issue policies of insurance signed by their president and secretary, agreeing in the name of the corporation, if formed for the purpose specified in the first subdivision of section two hundred and sixty-one, to pay all damages not exceeding the amount insured, which shall be not more than seven thousand dollars in any one risk, done to dwelling houses, barns and their contents, hop-houses and the hops and fixtures therein, and other property not more hazardous, in cities and villages, separated from any other risk of said company such distance as the by-laws of said corporation may prescribe, and their contents and live stock owned on the premises, caused by fire or lightning, during the time mentioned in the policy, which shall not be less than three months or more than five years; or if formed for the purposes specified in subdivision two of section two hundred and sixty-one; agreeing to pay all damages and expenses which may be sustained or incurred by the holder thereof from the larceny of domestic animals belonging to him or in his possession, and in the recovery thereof and in the apprehension of the thief or thieves, or in the prevention of the larceny of such animals or of horses, wagons, sleighs, harnesses and robes, which shall not be more than five hundred dollars in any one case. Every corporation may issue more than one policy in the case of fire insurance to one person, firm or corporation having separate or detached buildings, which it is not prohibited from insuring by this article or its by-laws. Every policy issued shall have attached thereto a printed copy of the by-laws and regulations of the corporation. Every corporation transacting the business of town and county co-operative insurance as provided for by this article, is hereby exempted from the provisions of section one hundred and twenty-one of this chapter.

§ 2. This act shall take effect immediately.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

The bill (No. 1632) entitled "An act in relation to Pacific street in the city of Brooklyn" (Int. No. 1393), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Nixon	Stadtfeld
Babcock	Denniston	Howe	O'Grady	Stein
Baker	Eldredge	Keck	Parkhurst	Stewart
Braun	Fairbrother	Kelsey	Porter	Stone
Brennan	Finnigan	Kerr	Prescott	Taylor
Brownell	Fish	Kern	Rider, J.J.	Terry, G.W.
Burtis	Friday	Kneeland	Robertson	Thompson
Bush	Fuller	Lasch	Robson	Thornton
Butts	Gardiner	Lawson	Roche	Tilton
Callahan	Gerst	Lee	Ryder, E.L.	Trainor
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Chambers	Gould	Marrin	Schulz, H	Van Amber
Chapman	Gray	Matthews	Seibert	Wells
Clark, F.E.	Herrman	McKeon	Sheffield	Whittet
Clark, J. H.	Higbie	McNamee	Smith, M.F.	Wieman
Conklin	Hobbie	Melody	Smith, S.W.	Wray
Coughlin	Hoefer	Messiter	Snyder	Wyckoff
Cutler	Horton	Myers		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1640) entitled "An act respecting the offices of the keeper and assistant keeper of the hall of records in the city of Brooklyn, county of Kings" (Int. No. 1404), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Grady	Stadtfeld
Babcock	Denniston	Howe	Parkhurst	Stein
Baker	Dinkelspiel	Keck	Porter	Stewart
Braun	Eldredge	Keleher	Prescott	Stone
Brennan	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Brownell	Fish	Kern	Robbins	Terry, C. W.
Burtis	Friday	Kneeland	Robertson	Terry, J.F.
Bush	Fuller	Lasch	Robson	Thompson
Butts	Gardiner	Lawson	Ryder, E.L.	Thornton

Cain	Gerst	Lee	Scanlon	Tilton
Carroll	Glenn	Lounsbury	Schoepflin	Trainor
Chambers	Gould	Marrin	Schulz, F.F.	Tuttle
Chapman	Gray	Matthews	Schulz, H	Vacheron
Clark, F.E.	Herrman	McKeon	Seibert	Van Amber
Clark, J. H.	Higbie	McNamee	Sheffield	Wells
Conklin	Hoefer	Messiter	Smith, M.F.	Whittet
Coughlin	Horton	Myers	Smith, S.W.	Wilcox
Cutler	Hotaling	Nixon	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1639) entitled "An act in relation to Marcy avenue in the city of Brooklyn" (Int. No. 1493), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	O'Grady	Stein
Babcock	Denniston	Keck	Parkhurst	Stevens
Baker	Eldredge	Keleher	Porter	Stewart
Braun	Fairbrother	Kelsey	Prescott	Stone
Brownell	Finnigan	Kerr	Rider, J.J.	Sulzer
Burtis	Fish	Kern	Robbins	Terry, C.W.
Bush	Friday	Kneeland	Robertson	Thompson
Butts	Fuller	Lasch	Robson	Thornton
Cain	Gardiner	Lawson	Ryder, E.L.	Tilton
Callahan	Gerst	Lee	Scanlon	Trainor
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Chambers	Gould	Marrin	Schulz, H	Vacheron
Chapman	Gray	McDermott	Seibert	Van Amber
Clark, F.E.	Herrman	McKeon	Sheffield	Wells
Clark, J. H.	Higbie	Melody	Sherwood	Whittet
Conklin	Hoefer	Messiter	Smith, S.W.	Wilcox
Coughlin	Horton	Myers	Snyder	Wray
Cutler	Houghton	Nixon	Stadtfeld	Wyckoff
Davidson				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1593) entitled "An act for the relief of Wesley S. Yard" (Int. No. 1373), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Nixon	Stadtfeld
Babcock	Denniston	Howe	O'Grady	Stein
Baker	Douglas	Keck	Plant	Stevens
Braun	Eldredge	Keleher	Prescott	Stone
Brennan	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Brownell	Finnigan	Kern	Robbins	Terry, C.W.
Burtis	Fish	Kneeland	Robertson	Terry, J.F.
Bush	Fuller	La Fetra	Robson	Thornton
Butts	Gardiner	Lawson	Roche	Tilton
Cain	Gerst	Lee	Ryder, E.L.	Trainor
Callahan	Glenn	Lounsbury	Scanlon	Tuttle
Cassin	Gould	Marrin	Schoepflin	Vacheron
Chambers	Gray	Matthews	Schulz, F.F.	Van Amber
Chapman	Herrman	McKeon	Schulz, H	Wells
Clark, J. H.	Higbie	McNamee	Sheffield	Whittet
Conklin	Hobbie	Melody	Sherwood	Wilcox
Coughlin	Hoefler	Mittnacht	Smith, S.W.	Wyckoff
Cutler	Hotaling	Myers	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1005) entitled "An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the Firemen's Association of the State of New York'" (Rec. No. 414), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Nixon	Stadtfeld
Babcock	Denniston	Keck	O'Grady	Stein
Baker	Douglas	Keenan	Parkhurst	Stevens

Berry	Eldredge	Keleher	Porter	Stewart
Braun	Fairbrother	Kelsey	Prescott	Stone
Brennan	Fish	Kerr	Rider, J.J.	Sulzer
Brownell	Friday	Kern	Robbins	Terry, C.W.
Burtis	Fuller	Kneeland	Robson	Terry, J.F.
Bush	Gardiner	Lasch	Roche	Thornton
Butts	Gerst	Lawson	Ryder, E.L.	Tilton
Cain	Glenn	Lee	Schillinger	Trainor
Callahan	Gould	Lounsbury	Schoepflin	Tuttle
Carroll	Gray	Marrin	Schulz, H	Van Amber
Chambers	Herrman	Matthews	Sheffield	Wells
Clark, F.E.	Higbie	McKeon	Sherwood	Whittet
Clark, J. H.	Hobbie	Melody	Smith, M.F.	Wilcox
Conklin	Hoefler	Messiter	Smith, S.W.	Wray
Coughlin	Horton	Mittnacht	Snyder	Wyckoff
Cutler	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1660) entitled "An act in relation to the extension and improvement of Liberty avenue in the city of Brooklyn" (Int. No. 1424), having been announced for a third reading,

On motion of Mr. Scanlon, said bill was laid aside.

The bill (No. 1623) entitled "An act to authorize John Rigan, Jr., of the town of Lockport, to sell and convey the cemetery grounds situated on the farm owned by him in said town" (Int. No. 1083), having been announced for a third reading,

On motion of Mr. J. H. Clark, said bill was laid aside.

The bill (No. 1696) entitled "An act authorizing the clerk of the Assembly to cause to be printed and distributed copies of the game law" (Int. No. 1311), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	00	}

Those who voted in the affirmative, were

Babcock	Douglas	Keck	Parkhurst	Stein
Baker	Eldredge	Keleher	Porter	Stevens
Braun	Fairbrother	Kelsey	Prescott	Stewart
Brennan	Fish	Kerr	Rider, J.J.	Stone

Brownell	Friday	Kern	Robbins	Sulzer
Burtis	Fuller	Kneeland	Robinson	Terry, C.W.
Bush	Gardiner	Lasch	Robson	Terry, J.F.
Butts	Gerst	Lawson	Ryder, E.L.	Thompson
Cain	Glenn	Lee	Scanlon	Thornton
Carroll	Gould	Lounsbury	Schoepflin	Tilton
Chambers	Gray	Marrin	Schulz, F.F.	Trainor
Chapman	Harrigan	Matthews	Seibert	Tuttle
Clark, F.E.	Herrman	McKeon	Sheffield	Vacheron
Clark, J. H.	Higbie	McNamee	Sherwood	Wells
Corrigan	Hoefler	Melody	Smith, M.F.	Whittet
Cutler	Horton	Messiter	Smith, S.W.	Wilcox
Dean	Hotaling	Myers	Snyder	Wray
Denniston	Houghton	Nixon	Stadtfield	Wyckoff
Dinkelspiel	Howe	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 857) entitled "An act for the release of any interest of the State in certain lands in the city of Buffalo to Henry Koons" (Int. No. 792), having been announced for a third reading,

On motion of Mr. Coughlin, said bill was laid aside.

The bill (No. 1289) entitled "An act in relation to proceedings for the voluntary dissolution of corporations, and providing for relief from defects and omissions therein" (Int. No. 1124), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Howe	Porter	Stein
Baker	Eldredge	Keck	Prescott	Stevens
Braun	Fairbrother	Keleher	Rider, J.J.	Stewart
Brownell	Finnigan	Kelsey	Robbins	Stone
Burtis	Fish	Kern	Robertson	Sulzer
Bush	Friday	Kneeland	Robson	Terry, C.W.
Butts	Fuller	Lawson	Ryder, E.L.	Terry, J.F.
Cain	Gardiner	Lee	Scanlon	Thornton
Callahan	Gerst	Lounsbury	Schoepflin	Tobin
Carroll	Glenn	Marrin	Schulz, H	Tuttle
Chambers	Gould	Matthews	Seibert	Vacheron

Clark, F.E.	Gray	McKeon	Sheffield	Van Amber
Clark, J. H.	Herrman	Melody	Sherwood	Wells
Conklin	Higbie	Messiter	Smith, M.F.	Whittet
Coughlin	Hobbie	Myers	Smith, S.W.	Wilcox
Cutler	Horton	Nixon	Snyder	Wray
Dean	Hotaling	O'Grady	Stadtfeld	Wyckoff
Denniston	Houghton	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1650) entitled "An act to authorize the town board and commissioners of highways in the town of Scarsdale, county of Westchester, to expend a sum of money in addition to that authorized by the highway law, and to incur an indebtedness for the grading, macadamizing and improving of highways in said town" (Int. No. 1414), having been announced for a third reading,

On motion of Mr. Harrigan, said bill was laid aside.

The bill (No. 1652) entitled "An act to repeal chapter 707 of the Laws of 1865, entitled 'An act to fix the compensation of assessors in the several towns of Ulster county'" (Int. No. 1416), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Howe	O'Grady	Stadtfeld
Babcock	Eldredge	Keck	Plant	Stein
Baker	Fairbrother	Keleher	Porter	Stewart
Braun	Fish	Kerr	Prescott	Stone
Brownell	Friday	Kern	Rider, J.J.	Sulzer
Burtis	Fuller	Kerrigan	Robbins	Terry, C.W.
Butts	Gardiner	Kneeland	Robertson	Terry, J.F.
Cain	Gerst	Lasch	Robinson	Thompson
Callahan	Glenn	Lawson	Roche	Thornton
Carroll	Gould	Lee	Scanlon	Tobin
Chambers	Gray	Lounsbury	Schillinger	Trainor
Chapman	Harrigan	Marrin	Schulz, F.F.	Vacheron
Clark, F.E.	Herrman	Matthews	Seibert	Van Amber
Clark, J. H.	Higbie	McKeon	Sheffield	Wells

Conklin	Hobbie	McNamee	Sherwood	Whittet
Coughlin	Hoeffer	Melody	Smith, M.F.	Wieman
Cutler	Horton	Messiter	Smith, S.W.	Wray
Dean	Hotaling	Myers	Snyder	Wyckoff
Denniston	Houghton	Nixon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1576) entitled "An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims arising from the grant by the State to Archibald McIntyre, individually, and as executor, and his successors in interest and subsequent grantees and owners and their personal representatives, and to make an award therefor" (Int. No. 1337), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 90 }
 } NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Howe	Parkhurst	Stadtfeld
Baker	Dinkelspiel	Keck	Porter	Stein
Braun	Eldredge	Keleher	Prescott	Stewart
Brennan	Fairbrother	Kelsey	Reilly	Sulzer
Brownell	Fish	Kern	Robbins	Taylor
Burtis	Friday	Kneeland	Robertson	Terry, J.F.
Bush	Fuller	Lasch	Robson	Thompson
Butts	Gardiner	Lawson	Ryder, E.L.	Thornton
Cain	Gerst	Lee	Scanlon	Tilton
Callahan	Glenn	Lounsbury	Schoepflin	Trainor
Carroll	Gould	Marrin	Schulz, F.F.	Tuttle
Chambers	Gray	Matthews	Schulz, H	Vacheron
Clark, F.E.	Herrman	McKeon	Seibert	Van Amber
Clark, J. H.	Higbie	Melody	Sheffield	Wells
Conklin	Hobbie	Messiter	Sherwood	Whittet
Coughlin	Hoeffer	Mittnacht	Smith, M.F.	Wieman
Cutler	Hotaling	Nixon	Smith, S.W.	Wray
Davidson	Houghton	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1470) entitled "An act to provide for the con-

struction of a bridge over the Mott Haven canal at One Hundred and Thirty-eighth street, in the city of New York" (Int. No. 1226), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Grady	Stein
Babcock	Denniston	Howe	Porter	Stevens
Baker	Douglas	Keck	Prescott	Stone
Braun	Eldredge	Keleher	Rider, J.J.	Taylor
Brennan	Fairbrother	Kelsey	Robbins	Terry, J.F.
Brownell	Fish	Kern	Robertson	Thornton
Bush	Friday	Kneeland	Robson	Tilton
Butts	Fuller	Lasch	Roche	Trainor
Cahill	Gardiner	Lawson	Scanlon	Tuttle
Cain	Gerst	Lounsbury	Schoepflin	Vacheron
Carroll	Glenn	Marrin	Schulz, F.F.	Van Amber
Cassin	Gould	Matthews	Schulz, H	Wells
Chambers	Gray	McKeon	Seibert	Whittet
Clark, F.E.	Herrman	McNamee	Sheffield	Wieman
Clark, J. H.	Higbie	Melody	Smith, M. F.	Wilcox
Conklin	Hobbie	Mittnacht	Smith, S.W.	Wray
Coughlin	Horton	Myers	Snyder	Wyckoff
Cutler	Hotaling	Nixon	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1631) entitled "An act to amend the Code of Civil Procedure, relative to jurisdiction of justices' courts" (Int. No. 1392), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Parkhurst	Stadtfeld
Babcock	Dinkelspiel	Keck	Porter	Stein
Baker	Eldredge	Keleher	Prescott	Stewart

Braun	Fairbrother	Kelsey	Rider, J.J.	Stone
Brennan	Fish	Kern	Robbins	Sulzer
Brownell	Friday	Kneeland	Robertson	Terry, C.W.
Burtis	Fuller	Lasch	Robson	Thompson
Bush	Gardiner	Lawson	Roche	Thornton
Butts	Gerst	Lee	Scanlon	Tilton
Callahan	Glenn	Lounsbury	Schoepflin	Trainor
Cassin	Gould	Marrin	Schulz, F.F.	Tuttle
Chambers	Gray	Matthews	Schulz, H	Van Amber
Clark, F.E.	Herrman	McKeon	Sheffield	Wells
Clark, J. H.	Higbie	Melody	Sherwood	Whittet
Conklin	Hoefler	Messiter	Smith, M.F.	Wieman
Coughlin	Horton	Myers	Smith, S.W.	Wray
Cutler	Hotaling	Nixon	Snyder	Wyckoff
Dean	Houghton	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1648) entitled "An act to amend chapter 413 of the Laws of 1892, entitled 'An act to provide for the construction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city'" (Int. No. 1412), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	O'Grady	Stein
Babcock	Denniston	Keck	Parkhurst	Stevens
Baker	Dowling	Keleher	Porter	Stewart
Braun	Eldredge	Kelsey	Prescott	Stone
Brennan	Fairbrother	Kern	Rider, J.J.	Sulzer
Brownell	Fish	Kerrigan	Robbins	Terry, C.W.
Burtis	Friday	Kneeland	Robertson	Terry, J.F.
Bush	Fuller	Lasch	Robson	Thompson
Butts	Gardiner	Lawson	Ryder, E.L.	Tilton
Callahan	Gerst	Lee	Scanlon	Trainor
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Cassin	Gould	Marrin	Schulz, F.F.	Vacheron
Chambers	Gray	Matthews	Schulz, H	Van Amber
Chapman	Herrman	McKeon	Seibert	Wells
Clark, F.E.	Higbie	McNamee	Sheffield	Whittet

Clark, J. H.	Hobbie	Melody	Sherwood	Wilcox
Corrigan	Hoefler	Mittnacht	Smith, S.W.	Wray
Coughlin	Horton	Myers	Snyder	Wyckoff
Cutler	Hotaling	Nixon	Stadtfeld	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1516) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to St. John's Guild" (Int. No. 1317), which was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	O'Grady	Stadtfeld
Babcock	Dowling	Keck	Plant	Stein
Baker	Eldredge	Keleher	Porter	Stewart
Braun	Fairbrother	Kelsey	Prescott	Stone
Brennan	Fish	Kern	Rider, J.J.	Sulzer
Brownell	Foley	Kerrigan	Robbins	Terry, C.W.
Burtis	Friday	Kneeland	Robertson	Thompson
Butts	Fuller	La Fetra	Robson	Thornton
Cahill	Gardiner	Lawson	Roche	Tilton
Callahan	Gerst	Lee	Scanlon	Trainor
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Chambers	Gould	Marrin	Schulz, F.F.	Vacheron
Chapman	Gray	Matthews	Schulz, H	Van Amber
Clark, F.E.	Herrman	McKeon	Seibert	Wells
Clark, J. H.	Higbie	McNamee	Sheffield	Whittet
Conklin	Hobbie	Melody	Sherwood	Wieman
Cutler	Hoefler	Mittnacht	Smith, M.F.	Wray
Dean	Hotaling	Myers	Smith, S.W.	Wyckoff
Denniston	Houghton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1684) entitled "An act to provide conditional compensation for teachers of common schools in any town of the State who have taught therein continuously twenty-five years or more" (Int. No. 1448), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Horton	Nixon	Stein
Babcock	Dean	Houghton	O'Grady	Stevens
Baker	Denniston	Howe	Parkhurst	Stewart
Berry	Douglas	Hoysradt	Porter	Stone
Braun	Eldredge	Keenan	Prescott	Sulzer
Brennan	Fairbrother	Keleher	Reilly	Taylor
Brownell	Fish	Kerr	Robbins	Terry, J.F.
Burtis	Foley	Kern	Robertson	Thompson
Bush	Friday	Kneeland	Robson	Thornton
Butts	Fuller	La Fetra	Roche	Tilton
Cain	Gardiner	Lawson	Ryder, E.L.	Trainor
Callahan	Gerst	Lee	Schillinger	Tuttle
Carroll	Glenn	Lounsbury	Schulz, H	Vacheron
Chambers	Gould	Marrin	Seibert	Van Amber
Chapman	Gray	Matthews	Sherwood	Whittet
Clark, F.E.	Herrman	McKeon	Smith, M.F.	Wieman
Clark, J. H.	Higbie	McNamee	Smith, S.W.	Wilcox
Conklin	Hobbie	Messiter	Snyder	Wray
Coughlin	Hoefler	Myers	Stadtfeld	Wyckoff

For the negative,

Kelsey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1615) entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages'" (Int. No. 1375), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	O'Grady	Stein
Babcock	Denniston	Houghton	Plant	Stewart
Baker	Dinkelspiel	Howe	Porter	Stone

Berry	Dowling	Keck	Prescott	Sulzer
Braun	Eldredge	Keleher	Reilly	Terry, C.W.
Brennan	Fairbrother	Kelsey	Robbins	Thompson
Brownell	Fish	Kern	Robertson	Thornton
Burtis	Friday	Kneeland	Robinson	Tilton
Bush	Fuller	Lasch	Robson	Trainor
Butts	Gardiner	Lawson	Roche	Tuttle
Cain	Gerst	Lee	Ryder, E.L.	Vacheron
Callahan	Glenn	Lounsbury	Schoepflin	Van Amber
Chambers	Gould	Matthews	Schulz, H	Wells
Clark, F.E.	Gray	McKeon	Sheffield	Whittet
Clark, J. H.	Herrman	Melody	Sherwood	Wilcox
Conklin	Higbie	Messiter	Smith, M.F.	Wray
Coughlin	Hoefer	Myers	Smith, S.W.	Wyckoff
Cutler	Horton	Nixon	Stadtfield	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1638) entitled "An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to contracts" (Int. No. 1402), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Rider, J.J.	Stewart
Babcock	Fairbrother	Kelsey	Robbins	Stone
Baker	Fish	Kern	Robertson	Taylor
Braun	Friday	Kneeland	Robson	Terry, C.W.
Brownell	Fuller	Lawson	Roche	Terry, J.F.
Burtis	Gardiner	Lee	Ryder, E.L.	Thompson
Bush	Glenn	Lounsbury	Scanlon	Thornton
Cahill	Gould	Marrin	Schoepflin	Tilton
Callahan	Gray	Matthews	Schulz, F.F.	Tuttle
Carroll	Herrman	McKeon	Seibert	Vacheron
Chambers	Higbie	Melody	Sheffield	Van Amber
Clark, F.E.	Hobbie	Messiter	Sherwood	Wells
Clark, J. H.	Horton	Myers	Smith, M.F.	Whittet
Conklin	Hotaling	O'Grady	Smith, S.W.	Wilcox

Cutler	Houghton	Parkhurst	Snyder	Wray
Dean	Howe	Porter	Stadtfeld	Wyckoff
Denniston	Keck	Prescott	Stein	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1674) entitled "An act to release to George Hyne, John Kilgour and David Kilgour, all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn, county of Kings and State of New York" (Int. No. 1438), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

} AYES 89 }
 } NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	O'Donnell	Stadtfeld
Babcock	Douglas	Keenan	O'Grady	Stein
Baker	Dowling	Keleher	Parkhurst	Stevens
Berry	Fairbrother	Kelsey	Prescott	Stewart
Braun	Fish	Kern	Reilly	Taylor
Brennan	Foley	Kerrigan	Robbins	Terry, C.W.
Brownell	Friday	Kneeland	Robertson	Thompson
Bush	Fuller	La Fetra	Robson	Thornton
Cahill	Gerst	Lasch	Roche	Tilton
Callahan	Gleason	Lawson	Scanlon	Tobin
Cassin	Glenn	Loonan	Schoepflin	Tuttle
Chambers	Gould	Marrin	Schulz, H	Van Amber
Clark, J. H.	Herrman	Matthews	Seibert	Vehslage
Conklin	Higbie	McKeon	Sheffield	Wells
Corrigan	Hoeffer	McNamee	Sherwood	Whittet
Coughlin	Horton	Melody	Smith, M.F.	Wilcox
Davidson	Houghton	Messiter	Smith, S.W.	Wyckoff
Dean	Howe	Mitnacht	Southworth	

In the negative,

Sulzer

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1141) entitled "An act to provide for the annexation of the county towns of Kings county to the city of Brooklyn,

and to merge the city and county governments" (Int. No. 1006), having been announced for a third reading,

On motion of Mr. Burtis, said bill was laid aside.

The Senate bill (No. 727) entitled "An act to amend section 22, article 2, chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws'" (Rec. No. 291), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Friday	La Fetra	Robertson	Stewart
Babcock	Gardiner	Lasch	Robson	Sulzer
Baker	Gerst	Lawson	Roche	Taylor
Braun	Gleason	Lounsbury	Scanlon	Terry, C.W.
Brownell	Gould	Loonan	Schillinger	Terry, J.F.
Bush	Harrigan	Marrin	Schoepflin	Thompson
Cahill	Herrman	McDermott	Schulz, F.F.	Thornton
Callahan	Higbie	McNamee	Seibert	Tilton
Chambers	Hobbie	Messiter	Sheffield	Tobin
Clark, F.E.	Horton	Mitnacht	Sherwood	Trainor
Conklin	Houghton	Myers	Smith, M. F.	Tuttle
Coughlin	Howe	O'Donnell	Smith, S.W.	Van Amber
Davidson	Keck	O'Grady	Snyder	Wells
Dean	Keenan	Plant	Southworth	Whittet
Dinkelspiel	Keleher	Porter	Stadtfeld	Wieman
Douglas	Kelsey	Rider, J.J.	Stein	Wray
Fairbrother	Kern	Robbins	Stevens	Wyckoff
Foley	Kerrigan			

Ordered that the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 127) entitled "An act in relation to immatured debts owing by insolvent debtors" (Rec. No. 337), having been announced for a third reading,

On motion of Mr. Fish, said bill was laid aside.

The Senate bill (No. 874) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport'" (Rec. No. 319), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kelsey	Prescott	Stevens
Babcock	Fish	Kerr	Reilly	Stewart
Baker	Foley	Kern	Robbins	Stone
Braun	Friday	Kneeland	Robinson	Sulzer
Brennan	Fuller	La Fetra	Robinson	Taylor
Burtis	Gardiner	Lasch	Robson	Terry, G.W.
Bush	Gerst	Lawson	Roche	Terry, J.F.
Cahill	Glenn	Loonan	Scanlon	Thompson
Cain	Gould	Marrin	Schillinger	Thornton
Carroll	Gray	Matthews	Schoepflin	Tilton
Cassin	Herrman	McDermott	Schulz, F.F.	Tobin
Chambers	Higbie	McNamee	Schulz, H	Trainor
Clark, J. H.	Hobbie	Melody	Seibert	Tuttle
Conklin	Hoefler	Messiter	Sheffield	Vehslage
Coughlin	Horton	Mitnacht	Sherwood	Wells
Cutler	Hotaling	Myers	Smith, M.F.	Whittet
Davidson	Howe	Nixon	Smith, S.W.	Wieman
Dean	Hoysradt	O'Donnell	Snyder	Wilcox
Denniston	Keck	O'Grady	Stadtfeld	Wray
Dinkelspiel	Keenan	Parkhurst	Stein	Wyckoff
Eldredge	Keleher	Plant		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1252) entitled "An act to amend 'An act to drain and improve certain lands of Thomas Hunt, lying in the Eighth ward of the city of Brooklyn, between the Third avenue and New York bay and Forty-fourth and Forty-ninth streets, and to alter the commissioners' map of said city in conformity thereto,' passed April 8, 1873" (Int. No. 1114), having been announced for a second reading,

Mr. Taylor moved to amend said bill as follows :

Page 2, line 3, strike out the word "and"; also, in same page, same line, after the word "Forty-sixth" insert the words "Forty-seventh" and "Forty-eighth."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and placed on the order of third reading.

The bill (No. 374) entitled "An act to amend title 7 of section 10 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting the public interests in the city of Brooklyn'" (Int. No. 366), was read the second time.

On motion of Mr. Burtis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1635) entitled "An act to provide for the sale of the privilege of dumping earth and rock in such parts of the public parks of the city of New York as may require to be filled in" (Int. No. 1396), was read the second time.

On motion of Mr. Lawson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1163) entitled "An act further to amend section 307 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888, and chapter 531 of the Laws of 1890, and chapter 82 of the Laws of 1892, and chapter 173 of the Laws of 1892, relating to a pension fund for the police department of said city'" (Int. No. 1030), was read the second time.

On motion of Mr. Robertson, said bill was placed on the order third reading and referred to the committee on revision.

The bill (No. 1235) entitled "An act to amend section 714 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 567 of the Laws of 1887, relating to the department of docks" (Int. No. 1095), having been announced for a second reading,

Mr. Sulzer moved to amend said bill as follows:

After the word "follows" and before the commencement of line 1, insert the following:

"Section 1. Section 714 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the

special and local laws affecting public interests in the city of New York,' as amended by chapter 567 of the Laws of 1867, relative to the department of docks, is hereby amended so as to read as follows:—

After the word "board" on line 9, at the end of the act, add the words "Provided that repairs may be made without advertising and letting the work by contract, where the cost of such repairs shall not exceed \$500, and an abandoned contract may be completed without advertising and letting the same by contract to the lowest bidder, whenever the completion of said abandoned contract shall cost not more than \$1,000; and any dredging may be done without advertising and letting the same by contract, the cost of which shall not exceed \$250."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time.

Mr. Sulzer moved that said bill be placed on the order of third reading and ordered reprinted as amended, and referred to the committee on revision.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1195) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo'" (Int. No. 1064), was read the second time.

On motion of Mr. Coughlin, said bill was placed on the order third reading and referred to the committee on revision.

The bill (No. 1641) entitled "An act to prevent the construction or operation of a railroad in South Ninth street, between Wythe avenue and Broadway, in the city of Brooklyn" (Int. No. 1405), was read the second time.

On motion of Mr. Melody, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1649) entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City'" (Int. No. 1413), was read the second time.

On motion of Mr. Robinson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 713) entitled "An act to exempt and release the real property of the Exempt Firemen's Association of Long Island City from taxation" (Int. No. 668), was read the second time.

On motion of Mr. Robinson, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1568) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon'" (Int. No. 1329), was read the second time.

On motion of Mr. Berry, said bill was placed on the order of third reading.

Mr. Berry asked unanimous consent that said bill do now have its third reading.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 101 }
 } NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keleher	Prescott	Stevens
Baker	Fairbrother	Kelsey	Reilly	Stewart
Berry	Finnigan	Kerr	Rider, J.J.	Stone
Braun	Fish	Kern	Robbins	Sulzer
Brennan	Fuller	Kneeland	Robertson	Taylor
Brownell	Gardiner	La Fetra	Robinson	Terry, C.W.
Burtis	Gerst	Lasch	Robson	Terry, J.F.
Bush	Glenn	Lawson	Roche	Thompson
Butts	Gould	Lee	Scanlon	Thornton
Carroll	Gray	Lounsbury	Schoepflin	Tilton
Cassin	Harrigan	Loonan	Schulz, F.F.	Tobin
Chambers	Hennessy	Marrin	Schulz, H	Trainor
Chapman	Higbie	McDermott	Seibert	Tuttle
Clark, F.E.	Hobbie	McKeon	Sherwood	Vacheron
Conklin	Hoefler	McNamee	Smith, M.F.	Van Amber
Coughlin	Hotaling	Melody	Smith, S.W.	Wells
Cutler	Houghton	Messiter	Snyder	Whittet
Davidson	Howe	O'Grady	Southworth	Wieman
Dinkelspiel	Keck	Parkhurst	Stadtfeld	Wray
Douglas	Keenan	Porter	Stein	Wyckoff
Dowling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1617) entitled "An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo" (Int. No. 1377), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1651) entitled "An act making an appropriation for repairing and rebuilding the Schoharie creek dam, used as a feeder for the Erie canal" (Int. No. 1415), having been announced for a second reading,

On motion of Mr. Gardiner, said bill was substituted for Senate bill No. 991, Rec. No. 479, same title and subject, and read a second time and ordered to a third reading.

The bill (No. 687) entitled "An act for the relief of the Volunteer Life-Saving Corps of inland waters of this State, and making an appropriation therefor" (Int. No. 645), was read the second time.

On motion of Mr. F. E. Clark, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Ainsworth moved to reconsider the vote by which Senate bill No. 738, entitled "An act to legalize certain municipal securities" (Rec. 224), was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1386) entitled "An act making an appropriation to pay and provide for payment of the cost and expense in the erection of a monument in the island of Key West, State of Florida, to the memory of the members of the Nineteenth regiment, New York State Volunteers, who died on that island, from yellow fever, in 1862" (Int. No. 1201), was read the second time.

On motion of Mr. Burtis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 287) entitled "An act to amend section 1 of chapter 439 of the Laws of 1876, entitled 'An act relating to the expenses of judicial sales in the county of Kings,' as amended by chapter 167 of the Laws of 1889" (Int. No. 283), having been announced for a second reading,

On request of Mr. Burtis, said bill was laid aside.

The bill (No. 1735) entitled "An act to amend chapter 307 of the Laws of 1879, entitled 'An act to provide for the summary investigation of unlawful or corrupt expenditures by officers of

towns or incorporated villages, and for restraining the same'' (Int. No. 1481), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1683) entitled "An act to amend chapter 334 of the Laws of 1890, entitled 'An act to incorporate the New York and New England Agricultural and Industrial Society'" (Int. No. 1447), was read the second time.

On motion of Mr. Douglas, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1218) entitled "An act providing for the sale of a certain piece of land belonging to the State of New York" (Int. No. 1077), was read the second time.

On motion of Mr. E. L. Ryder, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1710) entitled "An act to change the name of the Home Benefit Society" (Int. No. 1468), having been announced for a second reading,

Mr. Burtis moved to amend said bill as follows :

Line 3, after the word "benefit" insert the word "society."

Mr. Speaker put the question whether the house would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was read the second time, placed on the order of third reading and referred to the committee on revision.

The bill (No. 1662) entitled "An act to extend the time for the completion of the Hudson Tunnel railway" (Int. No. 1426), was read the second time.

On motion of Mr. Cutler, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 66) entitled "An act to amend the insurance law" (Rec. No. 350), having been announced for a second reading,

Mr. Keenan moved to amend said bill as follows :

Page 2, line 26, strike out the word "home."

Page 3, line 1, before the word "located" insert the words "to be expended for the use and support of the Volunteer Fireman's Home."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was read the second time and placed on the order of third reading.

The Senate bill (No. 861) entitled "An act to amend section 130 of the Penal Code" (Rec. No. 362), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 321) entitled "An act to amend chapter 383 of the Laws of 1877, entitled 'An act to amend chapter 571 of the Laws of 1866, entitled An act to incorporate the Brooklyn trust company'" (Rec. No. 341), having been announced for a second reading,

On request of Mr. Fish, said bill was laid aside.

The Senate bill (No. 845) entitled "An act for the construction of a wall on the Erie canal in the town of Verona, Oneida county, from the bridge at Higginsville, west of same, and to make an appropriation therefor" (Rec. No. 293), was read the second time.

On motion of Mr. J. J. Ryder, said bill was placed on the order of third reading.

The Senate bill (No. 905) entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of school-houses and the payment of debts contracted for the purchase of land for school purposes" (Rec. No. 315), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 776) entitled "An act to construct a bridge over Butternut creek in the town of Dewitt, in the county of Onondaga, and for an appropriation therefor" (Rec. No. 361), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 399) entitled "An act to provide for cleaning the Madison brook feeder, Lebanon feeder and summit level of the Chenango canal, and for repairing the bulkheads, waste-weirs and bridges thereon" (Rec. No. 310), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 906) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syra-

cuse, and to revise and amend the charter of the said city'" (Rec. No. 314), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

The Senate bill (No. 900) entitled "An act to provide for the completion of the armory for the Thirteenth Regiment in the city of Brooklyn" (Rec. No. 329), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

The Senate bill (No. 735) entitled "An act to repeal section 4 of title 18 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to contracts for supplying the public lamps with gas" (Rec. No. 253), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

The Senate bill (No. 756) entitled "An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provision for the celebration of Memorial day including the year 1893'" (Rec. No. 247), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

The Senate bill (No. 680) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo'" (Rec. No. 334), was read the second time.

On motion of Mr. Whittet, said bill was placed on the order of third reading.

The Senate bill (No. 791) entitled "An act to amend section 30 of title 3 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany'" (Rec. No. 249), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading.

The Senate bill (No. 142) entitled "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (Rec. No. 34), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

The Senate bill (No. 934) entitled "An act to authorize the city of Albany to borrow money and issue bonds for the purchase or building of a garbage crematory for the use of said city" (Rec. No. 323), was read the second time.

On motion of Mr. Carroll, said bill was placed on the order third reading.

The Senate bill (No. 229) entitled "An act to amend chapter 627 of the Laws of 1893, entitled 'An act authorizing the city of Yonkers to purchase and erect a crematory in which to burn garbage and other substances'" (Rec. No. 39), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

The Senate bill (No. 345) entitled "An act to amend chapter 644 of the Laws of 1893, entitled 'An act to create a general improvement commission, and provide for certain improvements in the highways, streets, avenues, boulevards and public places in Long Island City'" (Rec. No. 200), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading.

The Senate bill (No. 745) entitled "An act to amend chapter 357 of the Laws of 1892, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as it relates to the interest and taxation on securities issued by the city of Brooklyn'" (Rec. No. 261), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

The Senate bill (No. 498) entitled "An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls'" (Rec. No. 271), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading.

The Senate bill (No. 746) entitled "An act to amend section 31 of title 15 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interest in the city of Brooklyn,' as

amended by chapter 354 of the Laws of 1889, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as it relates to auxiliary sewers" (Rec. No. 260), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

The Senate bill (No. 15) entitled "An act to amend sections 1846 and 1858 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to the registration of voters" (Rec. No. 78), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

The Senate bill (not printed) entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claim of Patrick Gawkins, and the claim of the estate of Giles Hawley, deceased, against the State" (Rec. No. 368), was read the second time.

On motion of Mr. J. J. Ryder, said bill was placed on the order of third reading.

The Senate bill (not printed) entitled "An act to amend chapter 584 of the Laws of 1869, entitled 'An act to create the Manhattan Eye and Ear Hospital, in the city of New York,' passed May 5, 1869, as amended by chapter 349 of the Laws of 1884" (Rec. No. 364), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading.

The bill (No. 1742) entitled "An act to amend section 1030 of the Code of Civil Procedure" (Int. No. 1478), having been announced for a second reading,

On request of Mr. Ainsworth, said bill was laid aside.

The bill (No. 1743) entitled "An act to amend chapter 101 of the Laws of 1892, entitled 'An act to incorporate the East River Bridge Company'" (Int. No. 400), was read the second time.

On motion of Mr. F. F. Schulz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1744) entitled "An act to enable owners of lands

which have been subdivided by map into lots or plots to disclaim and abandon the subdivision thereof" (Int. No. 1453), was read the second time.

On motion of Mr. Wray, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Eldredge called from the table the Senate bill (No. 628) entitled "An act in relation to mines" (Rec. No. 275), previously laid aside on the order of second reading.

On motion of Mr. Eldredge, said bill was amended as follows:

Page 1, line 8, after the word "minerals" insert the words "except garnets"

Page 2, line 13, after the word "minerals" insert the words "except garnets."

Said bill, as amended, was then read the second time.

On motion of Mr. Eldredge, said bill was referred to the committee on rules.

The Senate bill (No. 683) entitled "An act to incorporate the Tidal Water Way Company, and define its rights, powers and privileges" (Rec. No. 203), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 2 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Higbie	McKeon	Sherwood
Babcock	Dinkelspiel	Hobbie	McNamee	Smith, M.F.
Baker	Douglas	Hoefer	Melody	Snyder
Berry	Dowling	Horton	Messiter	Southworth
Braun	Eldredge	Hotaling	Myers	Stadtfeld
Brennan	Finnigan	Houghton	Parkhurst	Stein
Brownell	Fish	Howe	Porter	Sulzer
Burtis	Foley	Keleher	Prescott	Taylor
Bush	Friday	Kelsey	Reilly	Terry, C.W.
Butts	Fuller	Kerr	Robertson	Thompson
Cahill	Gardiner	Kern	Robson	Thornton
Carroll	Gerst	Kneeland	Roche	Tilton
Chambers	Gleason	Lasch	Ryder, E.L.	Tuttle
Clark, F.E.	Glenn	Lawson	Scanlon	Vehslage
Clark, J. H.	Gould	Lee	Schoepflin	Wells
Conklin	Gray	Lounsbury	Schulz, F.F.	Whittet

Corrigan	Harrigan	Marrin	Schulz, H	Wieman
Coughlin	Herrman	McDermott	Seibert	Wray
Davidson				

Those who voted in the negative, were

Keck **Trainor**

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 998) entitled "An act to authorize the State Engineer and Surveyor to resurvey and re-establish the blue line on the tow-path side of the Erie canal in the city of Utica, from the east line of Park avenue to a point about fifty feet east of the waste-weir" (Rec. No. 388), was read the third time.

Mr. Speaker put the question whether the House would agree in the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	97
	NOES	00

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Parkhurst	Stadtfeld
Babcock	Dinkelspiel	Howe	Plant	Stein
Baker	Dowling	Keck	Porter	Stevens
Berry	Eldredge	Keleher	Prescott	Stone
Braun	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Brennan	Finnigan	Kerr	Robbins	Taylor
Brownell	Fish	Kern	Robertson	Terry, C.W.
Burtis	Foley	Kneeland	Robson	Terry, J.F.
Bush	Friday	La Fetra	Roche	Thompson
Butts	Fuller	Lasch	Scanlon	Thornton
Cahill	Gerst	Lawson	Schoepflin	Tilton
Cain	Gleason	Lee	Schulz, F.F.	Tobin
Callahan	Glenn	Lounsbury	Schulz, H	Trainor
Carroll	Gould	Marrin	Seibert	Tuttle
Clark, F.E.	Gray	McDermott	Sherwood	Van Amber
Clark, J. H.	Harrigan	McKeon	Smith, M.F.	Wells
Conklin	Higbie	McNamee	Smith, S.W.	Whittet
Corrigan	Hoefler	Melody	Snyder	Wieman
Cutler	Horton	Myers	Southworth	Wyekoff
Davidson	Hotaling			

Ordered, That the Clerk return said bill to the Senate, with a

message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to amend chapter 18 of the Laws of 1864, entitled 'An act to revise the charter of the city of Utica'" (Rec. No. 454), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor, and three-fifths being present.

{ AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Plant	Stein
Babcock	Douglas	Keck	Porter	Stewart
Baker	Dowling	Keenan	Prescott	Stone
Berry	Eldredge	Kelsey	Reilly	Sulzer
Braun	Fairbrother	Kerr	Rider, J.J.	Taylor
Brennan	Fish	Kern	Robertson	Terry, C W.
Brownell	Foley	Kerrigan	Robson	Thompson
Burtis	Friday	La Fetra	Roche	Thornton
Bush	Fuller	Lasch	Scanlon	Tilton
Butts	Gardiner	Lawson	Schoepflin	Tobin
Cahill	Gerst	Lee	Schulz, F.F.	Trainor
Carroll	Gleason	Lounsbury	Schulz, H	Tuttle
Chambers	Glenn	Marrin	Seibert	Vacheron
Clark, F.E.	Gould	McDermott	Sherwood	Van Amber
Clark, J. H.	Gray	McKeon	Smith, M.F.	Vehslage
Conklin	Harrigan	Melody	Smith, S.W.	Wells
Corrigan	Higbie	Messiter	Snyder	Whittet
Cutler	Hoefer	O'Donnell	Southworth	Wieman
Davidson	Hotaling	Parkhurst	Stadtfeld	Wyckoff
Dean	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to provide for the grading and other improvements of certain park lands in the city of Brooklyn, and to provide the means therefor" (Rec. No. 459), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Prescott	Stone
Babcock	Dinkelspiel	Howe	Reilly	Sulzer
Baker	Douglas	Keck	Rider, J.J.	Taylor
Berry	Dowling	Keleher	Robbins	Terry, C.W.
Braun	Eldredge	Kelsey	Robertson	Terry, J.F.
Brennan	Fairbrother	Kerr	Robson	Thompson
Brownell	Finnigan	La Fetra	Roche	Thornton
Burtis	Fish	Lasch	Ryder, E.L.	Tilton
Bush	Foley	Lawson	Scanlon	Tobin
Butts	Friday	Lee	Schoepflin	Trainor
Cahill	Fuller	Lounsbury	Schulz, F.F.	Tuttle
Cain	Gerst	Marrin	Schulz, H	Vacheron
Carroll	Glenn	McDermott	Seibert	Van Amber
Chambers	Gould	McKeon	Sherwood	Vehslage
Clark, F.E.	Gray	McNamee	Smith, M.F.	Wells
Clark, J. H.	Harrigan	Melody	Smith, S.W.	Whittet
Conklin	Herrman	Messiter	Snyder	Wieman
Corrigan	Higbie	Parkhurst	Southworth	Wilcox
Davidson	Hobbie	Plant	Stadtfeld	Wyckoff
Dean	Hoefer	Porter	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message from the Governor, by the hands of his private secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
 ALBANY, April 24, 1894. }

To the Legislature:

In my annual message to the Legislature, transmitted on January second, last, I said:

“Repeated experience with the recently enacted ballot law has suggested several desirable changes to promote simplicity in voting. The most important change needed is one to avoid the multiplicity of ballots placed in the hands of the voter. The present system leads to confusion, mistakes and annoyance. I recommend the adoption of a so-called ‘blanket ballot,’ with the names upon it so arranged and printed that the elector can easily vote for the candidates of his choice.”

Although nearly four months have elapsed since the transmission of this recommendation no bill incorporating the suggestion has yet been presented for executive approval. This delay is unfortunate, for had a bill been passed earlier in the session con-

taining any provisions which the executive did not approve, there would have been ample time to permit the adjustment of any differences between the executive and legislative branches of government with reference to the measure, and a law could have been placed on the statute books which would have given general satisfaction to the public. So desirable do I consider the enactment of a measure which will simplify the present method of voting that, considering the lateness of the session and the apparent radical differences between the Senate and the Assembly upon this subject, I am induced to offer some suggestions in advance relative to the two bills now pending in the Legislature, to the end that a wise and good ballot law may be passed and receive my official signature.

The essential difference between the Senate bill and the Assembly bill, as the two now stand, is that the Assembly bill makes no provision for any kind of a paster ballot, while the Senate bill permits the use of a single paster for each office voted for. So far as the aim of a simple ballot is concerned the Assembly bill in its present shape most nearly coincides with the recommendation of my annual message. But the enactment of such a bill is out of the question. The controversy as to the constitutionality of such a ballot is firmly closed by the opinion of some of the most prominent lawyers of New York, published in to-day's newspapers, holding such a ballot law to be unconstitutional. This opinion states so clearly the fundamental features which any ballot law should possess in order to be constitutional that I quote it herewith, together with the names of the lawyers who promulgated it:

"First. Any duly qualified elector has a right to vote for any competent person to fill an office for which a person is to be elected at the election at which he desires to vote, whether or not such person for whom he desires to vote has been so nominated that his name is printed upon the official ballot. Any ballot act which does not afford all voters, whether illiterate or not, an opportunity and reasonable facilities for voting for such a person is unconstitutional.

"Second. If a secret ballot act prescribing an official ballot does not permit the voter to write upon the ballot the name of a person whom he desires to vote for, whose name is not borne upon the official ballot, or to vote for such person by a paster placed upon such ballot, or by some other method, the act is unconstitutional.

"Third. Such a ballot act must enable voters who, by reason of ignorance or physical disability, can not write, to have the assistance of a competent person to write upon, or to affix to, the official ballot the name of a person not borne upon it, but for whom they desire to vote, and that assistance must be allowed to such extent and in such manner that the illiterate or disabled person may be certain that the name of the person he desire to vote

for has been placed upon the ballot; otherwise, it is unconstitutional. James C. Carter, George Bliss, W. B. Hornblower, Hugh L. Cole, Francis L. Stetson, John F. Dillon, John E. Parsons, W. H. Peckham, Elihu Root, Joseph H. Choate."

This opinion, coming from such distinguished authority, precludes from consideration any bill which does not permit the use of some kind of a paster ballot. The discussion then resolves into a consideration of the question as to the kind of a paster ballot which is best adapted to securing secrecy and simplicity, and which will best promote the exercise of franchise by the ignorant or physically disabled voter.

The Assembly bill, as introduced by Mr. Sheffield, provided originally for certain official paster ballots to be furnished in the polling place to persons who had previously testified to their physical disability or to their illiteracy and prohibited all other persons from using any paster ballot whatever. This latter provision would be unconstitutional according to that part of the opinion quoted above which says that "if a secret ballot act prescribing an official ballot does not permit the voter * * * to vote * * * by a paster placed upon such ballot * * * the act is unconstitutional." The provision relative to physically disabled or illiterate voters is cumbersome and complicated, and would, for this and other reasons, work a practical disfranchisement if not an actual one. The worst feature of it, however, is the opportunity it would afford for bribery by its permission to the illiterate to take persons with them into the polling booth. A man who will sell his vote will commit perjury, and it is well known that the provision of the present law relative to assistance to "physically disabled" voters has been utilized at times to bribe voters by wholesale.

The Senate bill's provisions as to a paster ballot are substantially as follows:

"Any voter may use one or more pasters, each of which shall contain the title of a single office to be filled and the name of one person whose name is not already printed upon the official ballot as a candidate for such office for whom the voter may desire to vote. No single paster shall contain the name of more than one candidate. Such paster or pasters shall be pasted upon the blank margin at the foot of the ballot and not elsewhere, in such manner that no one of them shall project beyond the edge of the ballot, and the ballot shall be counted as a vote for the person whose name appears upon any such paster for the office whose title appears thereon."

The illiterate voter, or any person who desires to vote for names other than those on the official ballot, would have to paste the name for each office separately in the blank margin at the foot of the ballot. If he desires to vote an entire ticket whose names are not on the official ballot, as is often the case in independent movements, he has a constitutional right to do so accord-

ing to the before-mentioned opinion, but according to this bill he must put on a different paster for each office voted for. This unnecessarily restricts and inconveniences him in voting. If he were permitted to apply one blanket paster including all the names he desires to vote, the operation would be much simpler and there could be no reasonable objection to it. Indeed, if pasting is to be permitted at all, and it must be, it appears, under our constitution, the same reasons exist for a blanket paster as exist for a blanket ballot. We desire to get rid of the multiplicity of ballots now in use, but we should not make independent voting more difficult by compelling a multiplicity of pasters. A simpler ballot is what we all want, and nothing can be simpler than a blanket ballot, with the use of the blanket paster permitted. The question of secrecy is not involved in this issue, so long as assistance to illiterates inside the booth is not permitted, for identification of ballots cast by bribed voters is no more liable when those ballots contain blanket pasters than when they contain individual pasters, and the present law nullifies ballots marked in any way for identification.

The blanket paster is not essential to the illiterate alone. That is a minor consideration, although of course the illiterate should be protected in their right to vote, but the blanket paster is essential alike to the illiterate, the incompetent and the independent. The blanket paster, offering as it does the opportunity of making a combination of names chosen from the candidates nominated regularly or by petition or not nominated at all, secures to the independent voter his only weapon against the tyranny of caucus and convention. We all desire a simpler ballot. The blanket ballot and the blanket paster would give the desired simplicity, and would receive my approval if the remaining provisions of the bill were proper. A simple paster for each name would be more complicated than the present law, and would not receive my approval.

ROSWELL P. FLOWER.

The hour of 7.30 o'clock having arrived, the House adjourned.

WEDNESDAY, APRIL 25, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Andrew V. V. Raymond.

On motion of Mr. Wilcox, the journal of yesterday was approved without being read.

Mr. Speaker stated the pending question at the hour of adjournment last evening to be upon the disposition of the message from the Governor received by the Assembly.

Debate being had thereon.

On motion of Mr. Ainsworth said message was laid upon the table and ordered printed.

(See Document.)

A message from the Senate was received and read, in the words following:

IN SENATE, *April 24, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly the Governor returned the Senate bill No. 438, entitled "An act for the disposition and use of insurance moneys received for loss or damage of property in the State normal and training schools." (Int. No. 129.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. O'Connor, and by unanimous consent, said bill was amended as follows:

Section 1 of said bill is hereby amended to read as follows:

"Section 1. Where any loss or damage against which insurance exists, occurs to the real or personal property of any of the normal and training schools of the State, the moneys realized for such insurance shall be deposited by each company in which such property is insured in a bank to be designated by the State Comptroller, subject to the check of the local board of managers of such school, countersigned by the State Comptroller, and shall be kept as a separate fund, to the credit of the local board of managers of such school, and shall be immediately available to be expended under the direction of such local board of managers subject to the approval of the State Superintendent of Public Instruction, to repair or replace, wholly or partially, the real or personal property so damaged or destroyed."

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,
Clerk.

On motion of Mr. Ainsworth said bill was referred to the committee on rules.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1743) entitled "An act to amend chapter 101 of the Laws of 1892, entitled 'An act to incorporate the East River Bridge Company'" (Int. No. 400), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, after the word "adding" insert the word "thereto."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1218) entitled "An act providing for the sale of a certain piece of land belonging to the State of New York" (Int. No. 1077), reported the same with the recommendation that it be amended as follows:

Page 2, line 7, after the word "road" change the period to a comma and begin the next word "Said" with a small letter "s;" also, change the word "contain" to the word "containing."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1710) entitled "An act to change the name of the Home Benefit Society" (Int. No. 1468), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, capitalize the words "home benefit society."

Same page, line 2, capitalize the words "empire life insurance."

Same page, line 4, capitalize the words "empire life insurance."

Same page, line 5, capitalize the words "home benefit society."

Same page, line 9, capitalize the words "home benefit society."

Page 2, line 8, capitalize the words "empire life insurance."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1649) entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City'" (Int. No. 1413), reported the same with the recommendation that it be amended as follows:

Page 1, line 1, strike out the word "said."

Same page, line 3, after the word "seventy-one" insert the words "entitled 'An act to revise the charter of Long Island City.'"

Amend the title by inserting after the words "Long Island City" the words "relating to the superintendent of schools."

J. F. TERRY,

Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1735) entitled "An act to amend chapter 307 of the Laws of 1879, entitled 'An act to provide for the summary investigation of unlawful or corrupt expenditures by officers of towns or incorporated villages, and for restraining the same'" (Int. No. 1481), reported the same with the recommendation that it be amended as follows:

Page 1, line 2, after the word "seventy-nine" insert the words "entitled 'An act to provide for the summary investigation of unlawful or corrupt expenditures by officers of towns or incorporated villages, and for restraining the same.'"

Page 2, line 10, add the letter "s" to the word "fee."

Same page, line 17, strike out the word "of" and insert the word "or."

Page 3, line 21, insert a comma after the word "officers."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1163), entitled "An act to further amend section 307 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888, and chapter 531 of the Laws of 1890, and chapter 82 of the laws of 1892, and chapter 178 of the Laws of 1892, relating to a pension fund for the police department of said city" (Int. No. 1030), reported the same with the recommendation that it be amended as follows:

Page 2, line 1, after the word "chapter" strike out the words "one hundred and eighty."

Same page, lines 2, 3, 4, 5, 6 and 7.

Same page, line 8, strike out the words "two and chapter."

Amend the title so as to read as follows:

"An act to further amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to a pension fund for the police department of said city."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1195) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the Buffalo'" (Int. No. 1064), reported the same with the recommendation that it be amended as follows:

Page 2, line 15, strike out the word "will" and insert the word "shall."

Amend the title by inserting before the word "Buffalo" the words "city of."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1252), entitled "An act to amend an act entitled 'An act to drain and improve certain lands of Thomas Hunt, lying in the Eighth ward of the city of Brooklyn, between the Third avenue and New York bay and Forty-fourth and Forty-ninth streets, and to alter the commissioners' map of said city in conformity thereto,' passed April 8, 1873" (Int. No. 1114), reported the same with the recommendation that it be amended as follows:

Amend the title by striking out the words "An act" after the words "to amend," and inserting the words "chapter 183 of the Laws of 1873;" also in line 7, after the word "thereto," strike out the words "passed April 8, 1873."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 374), entitled "An act to amend title 7 of section 10 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn'" (Int. No. 366) reported the same, with the recommendation that it be amended as follows:

Page 1, line 5, after the word "Brooklyn" insert the words "is hereby."

Amend the title by striking out the words "title seven of section ten" and insert the words "chapter 583."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1366), entitled "An act making an appropriation to pay and provide for payment of the cost and expense in the erection of a monument on the island of Key West, State of Florida, to the members of Ninetieth Regiment, New York State volunteers, who died on that island, from yellow fever, in 1862" (Int. No. 1201), reported the same with the recommendation that it be amended as follows:

Page 1, line 3, strike out the words "unexpended balance" and insert the word "money;" also, strike out the words "of the state" and insert the words "not otherwise appropriated."

Same page, line 4, change the word "in" to the word "of."

Page 2, line 2, after the word "which" insert the word "sum."

Same page, line 3, strike out the word "city," and after the word "comptroller" insert a comma.

Same page, line 6, after the word "volunteers" strike out the semicolon.

Same page, line 8, after the word "sum" strike out the comma.

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the bill (No. 1744) entitled "An act to enable owners of lands which have been subdivided by map into lots or plots to disclaim and abandon the subdivision thereof" (Int. No. 1433), reported the same with the recommendation that it be amended as follows:

Page 2, line 7, strike out the word "That" and begin the next word "whenever" with a capital "W."

Same page, lines 11 and 12, strike out the words "nor to any streets which have been dedicated to the public by filing any map or maps."

Same page, line 15, after the word "Oneida" insert the word "Rockland."

Same page, line 16, after the word "Washington" insert the

words "nor to any streets which have been dedicated to the public by filing any map or maps."

J. F. TERRY,
Chairman.

Which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. F. Terry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation :

"An act to prevent the construction or operation of a railroad in South Ninth street, between Wythe avenue and Broadway, in the city of Brooklyn." (No. 1641, Int. No. 1405.)

"An act to exempt and release the real property of the Exempt Firemen's Association of Long Island City from taxation." (No. 713, Int. No. 668.)

"An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo." (No. 1617, Int. No. 1377.)

"An act to provide for the sale of the privilege of dumping earth and rock in such parts of the public parks of the city of New York as may require to be filled in." (No. 1635, Int. No. 1396.)

"An act to extend the time for the completion of the Hudson Tunnel Railway." (No. 1662, Int. No. 1426.)

"An act to amend chapter 334 of the Laws of 1890, entitled 'An act to incorporate the New York and New England Agricultural and Industrial Society.' " (No. 1683, Int. No. 1447.)

Ordered, That said bills be engrossed for a third reading.

The Senate returned the bill (No. 1270) entitled "An act to amend the railroad law, relating to consents of property owners for building and operation of street surface railroads" (Int. No. 1018), with a message that they have concurred in the passage of the same, with the following amendment :

Page 2, section 1, strike out lines 10, 11, 12, 13 and 14, from the word "But" to the word "obtain," inclusive.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 89 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hobbie	Melody	Smith, S.W.
Babcock	Denniston	Horton	Messiter	Snyder
Baker	Dinkelspiel	Hotaling	Myers	Stadtfield
Braun	Dowling	Howe	O'Grady	Stein
Brennan	Eldredge	Keck	Parkhurst	Stevens
Brownell	Fairbrother	Keleher	Porter	Stewart
Bush	Fish	Kelsey	Prescott	Stone
Butts	Foley	Kerr	Reilly	Taylor
Cain	Friday	Kern	Robbins	Terry, J.F.
Callahan	Fuller	Kneeland	Robertson	Thompson
Carroll	Gardiner	La Petra	Robson	Tilton
Chambers	Gerst	Lawson	Roche	Trainor
Clark, F.E.	Glenn	Lee	Scanlon	Van Amber
Clark, J.H.	Gould	Lounsbury	Schoepflin	Whittet
Conklin	Gray	Marrin	Schulz, H	Wieman
Coughlin	Hennessy	Matthews	Seibert	Wray
Cutler	Herrman	McKeon	Sheffield	Wyckoff
Davidson	Higbie	McNamee	Smith, M.F.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate sent for concurrence the following entitled bills :

"An act to provide for the acquisition of lands for public use between the Tenth avenue and other streets and the Harlem river, in the city of New York, adjoining and in addition to the lands authorized to be acquired by chapter 249 of the Laws of 1890, and chapter 102 of the Laws of 1893" (not printed, Rec. No. 486), which was read the first time.

On motion of Mr. Sulzer, said bill was referred to the committee on rules.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act to amend sections 3, 8, 11, 12 and 13 of chapter 269 of the Laws of 1892, entitled 'An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city.' " (No. 1698, Int. No. 1104.)

“An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to land and liens thereon in the county of Kings.” (No. 1055, Int. No. 899.)

Ordered, That the Clerk deliver said bills to the Governor.

A communication from the Governor was received and read, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 23, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1463, entitled “An act to amend chapter 537 of the Laws of 1893, entitled ‘An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York, or otherwise.’” (Int. No. 1281.)

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Myers	Stadtfeld
Babcock	Dinkelspiel	Howe	O'Grady	Stein
Baker	Douglas	Keck	Parkhurst	Stevens
Braun	Eldredge	Keleher	Porter	Stewart
Brennan	Fairbrother	Kelsey	Prescott	Stone
Brownell	Finnigan	Kerr	Reilly	Sulzer
Burtis	Foley	Kern	Robbins	Taylor
Bush	Friday	Kerrigan	Robertson	Terry, C.W.
Butts	Fuller	Kneeland	Robson	Thompson
Cain	Gardiner	La Petra	Roche	Tilton
Callahan	Gerst	Lawson	Scanlon	Tobin
Carroll	Glenn	Lee	Schillinger	Trainor
Chambers	Gould	Lounsbury	Schulz, F.F.	Vacheron
Clark, F.E.	Gray	Marrin	Seibert	Van Amber
Clark, J. H.	Herrman	Matthews	Sheffield	Vehslage
Conklin	Higbie	McKeon	Sherwood	Whittet
Corrigan	Hobbie	McNamee	Smith, M.F.	Wieman
Coughlin	Horton	Melody	Smith, S.W.	Wray
Davidson	Hotaling	Mitnacht	Snyder	Wyckoff

On motion of Mr. Butts, and by unanimous consent, said bill was amended as follows :

Section 1, line 1, before the first word "chapter" insert the words "sections 1 to 7 inclusive of."

Same section, line 3, after the words "so as to read" insert the word "respectively;" also, after the word "follows" commence a new line and insert at the beginning "§ 1."

Make section 8 read section 2.

Make section 9 read section 3.

Mr. Speaker put the question whether the House would concur in the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Messiter	Stadtfield
Babcock	Dinkelspiel	Hotaling	Myers	Stein
Baker	Dowling	Houghton	O'Grady	Stevens
Braun	Eldredge	Howe	Parkhurst	Stewart
Brennan	Fairbrother	Keck	Porter	Sulzer
Burtis	Finnigan	Keleher	Prescott	Taylor
Bush	Fish	Kelsey	Reilly	Terry, J.F.
Butts	Friday	Kerr	Robbins	Thompson
Cahill	Fuller	Kern	Robertson	Thornton
Cain	Gardiner	Kerrigan	Robson	Tilton
Callahan	Gerst	La Fetra	Roche	Trainor
Carroll	Glenn	Lasch	Scanlon	Tuttle
Cassin	Gould	Lawson	Schoepflin	Vacheron
Chambers	Gray	Lee	Schulz, H	Van Amber
Chapman	Hennessy	Lounsbury	Seibert	Wells
Conklin	Herrman	Marrin	Sheffield	Wieman
Corrigan	Higbie	Matthews	Smith, M.F.	Wilcox
Cutler	Hobbie	McKeon	Smith, S.W.	Wray
Dean	Hoefler	Melody	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the following entitled bills :

"An act to prohibit the sale or gift of tobacco to minors in State prisons" (No. 1095, Rec. No. 495), which was read the first time.

On motion of Mr. J. H. Clark, said bill was referred to the committee on rules.

"An act to amend chapter 711 of the Laws of 1893, entitled 'An act in relation to the sale and redemption of land sold for taxes'" (No. 846, Rec. No. 468), which was read the first time.

On motion of Mr. Horton, said bill was referred to the committee on rules.

"An act to authorize payments for sales of certain lands by the Commissioners of the Land Office to be credited to the Adirondack park special fund" (not printed, Rec. No. 500), which was read the first time.

On motion of Mr. Stevens, said bill was referred to the committee on rules.

"An act to provide for the printing of an additional number of volume 5 of the report of the Senate committee on cities" (No. 794, Rec. No. 470), which was read the first time.

On motion of Mr. Brownell, said bill was referred to the committee on rules.

"An act to amend section 2645 of the Code of Civil Procedure, in reference to the qualification of executors and administrators" (No. 1083, Rec. No. 475), which was read the first time.

On motion of Mr. Speaker, said bill was referred to the committee on rules.

"An act to amend section 198 of article 8 of the game law, relating to cultivation of shell fish" (No. 228, Rec. No. 138), which was read the first time.

On motion of Mr. J. H. Clark, said bill was referred to the committee on rules.

"An act to amend subdivision 3 of section 20 of chapter 113 of the Laws of 1859, entitled 'An act in relation to common schools in the village of Elmira,' as amended by chapter 259 of the Laws of 1873, and further amended by chapter 19 of the Laws of 1890, and further amended by chapter 286 of the Laws of 1894" (not printed, Rec. No. 488), which was read the first time.

On motion of Mr. Bush, said bill was referred to the committee on rules.

"An act to authorize the board of education of union free school district No. 6, in the town of Ontario, county of Wayne, and State of New York, to issue bonds for the purpose of purchasing a site and erecting a union free school-house in said

district" (not printed, Rec. No. 491), which was read the first time.

On motion of Mr. Horton, said bill was referred to the committee on rules.

"An act to amend chapter 182 of the Laws of 1884, entitled 'An act to regulate the grade and to fix the pay or compensation of members of the police force who are or who may be appointed patrolmen on or after January 1, 1885, in all cities of this State having, according to the last census, a population exceeding 800,000'" (No. 300, Rec. No. 485), which was read the first time.

On motion of Mr. Fish, said bill was referred to the committee on rules.

"An act to provide for the erection of a statue of Major-General Frederick William, Baron Steuben, in the county of Steuben" (No. 366, Rec. No. 484), which was read the first time.

On motion of Mr. Bush, said bill was referred to the committee on rules.

"An act to provide for the selection, laying out, construction and maintenance of a public driveway and parkway, and for the acquisition of riparian rights in connection therewith, in any county of this State which contains a city, the population of which city is in excess of 800,000, and the boundaries of which city is not coterminus with those of said county, and also providing the means of payment therefor, and maintenance therefor, and creating a department of parks for said county" (No. 1076, Rec. No. 481), which was read the first time.

On motion of Mr. Taylor, said bill was referred to the committee on rules.

"An act to amend chapter 361 of the Laws of 1863" (No. 1081, Rec. No. 480), which was read the first time.

On motion of Mr. Sulzer, said bill was referred to the committee on rules.

"An act to authorize John Rigerman, Jr., of the town of of Cambria, Niagara county, New York, to sell and convey the cemetery grounds situated on the farm owned by him in said town" (No. 1077, Rec. No. 477), which was read the first time.

On motion of Mr. J. H. Clark, said bill was substituted for Assembly bill No. 1623, Int. No. 1383, same title and subject, now on the order of third reading.

"An act in relation to the enlargement of Hoffman Island for

quarantine purposes, and making an appropriation therefor " (not printed, Rec. No. 478), which was read the first time.

On motion of Mr. Ainsworth, said bill was referred to the committee on rules.

"An act to authorize the Board of Claims to rehear, audit and determine the claims of Jacob Crouse and Silas B. Fyler, and to make awards thereon " (No. 1084, Rec. No. 476), which was read the first time.

On motion of Mr. Prescott, said bill was referred to the committee on rules.

"An act reappropriating money heretofore appropriated to buy land for the New York State Custodial Asylum at Newark, N. Y." (not printed, Rec. No. 490), which was read the first time.

On motion of Mr. Horton, said bill was referred to the committee on rules.

"An act to authorize the board of estimate and apportionment of the city of New York, to examine and audit the claim of Ludwig Baumann, for goods furnished to the fire department of the city of New York, and to make an appropriation for the payment of the same " (No. 1099, Rec. No. 499), which was read the first time.

On motion of Mr. Herrman, said bill was referred to the committee on rules.

"An act to provide for the repayment of moneys to the chamberlain of the city of Albany, heretofore paid to the Superintendent of Public Works, for the construction of a lift or hoist-bridge on Waterstreet, over the Erie canal, in the city of Albany " (No. 495, Rec. No. 496), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 307 of the Laws of 1879, entitled 'An act to provide for the summary investigation of unlawful or corrupt expenditure by officers of towns or incorporated villages and for restraining the same ' " (No. 1068, Rec. No. 498), which was read the first time.

On motion of Mr. Fish, said bill was substituted for Assembly bill No. 1735, Int. No. 1481), same title and subject, now on the order of third reading.

"An act to amend the banking law " (No. 576, Rec. No. 494), which was read the first time and referred to the committee on banks.

"An act to authorize the Board of Claims to hear, audit and determine the claim of John Moore, and to make an award thereon" (No. 939, Rec. No. 489), which was read the first time.

On motion of Mr. Wells, said bill was referred to the committee on rules.

"An act requiring that all repaving, reflagging and repairing of the streets, avenues and public places of the cities of New York and Brooklyn be done by day's work, and that none but citizens and residents shall be employed" (No. 433, Rec. No. 493), which was read the first time.

On motion of Mr. F. F. Schulz, said bill was referred to the committee on rules.

"An act prohibiting the assignment and subletting of public contracts in the cities of New York and Brooklyn" (No. 432, Rec. No. 492), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 429 of the Penal Code" (No. 844, Rec. No. 487), which was read the first time and referred to the committee on codes.

"An act to amend the public health law, relating to the State Board of Health" (No. 1023, Rec. No. 402), which was read the first time and referred to the committee on public health.

The Senate returned the bill (No. 419), entitled "An act to amend the Code of Civil Procedure, relating to examinations and admission of attorneys or counselors" (Int. No. 399), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 9, after the word "board" insert the words "for a term of three years except under the first appointment, which shall be for terms of one, two and three years respectively."

Same section, line 18, after the word "fee" insert the words "not to exceed fifteen dollars."

Same section, line 36, after the word "same" insert the words "such board shall render during the month of January an account of all their receipts and disbursements, to the Court of Appeals."

Section 2, line 1, strike out the word "September" and insert the word "January."

Same section, line 2, strike out the word "four" and insert the word "five."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Mittnacht	Snyder
Babcock	Denniston	Howe	O'Grady	Stadtfeld
Baker	Douglas	Keck	Parkhurst	Stein
Braun	Eldredge	Keenan	Plant	Stewart
Brennan	Finnigan	Kelsey	Prescott	Stone
Burtis	Fish	Kerr	Rider, J.J.	Sulzer
Bush	Foley	Kern	Robbins	Terry, C.W.
Butts	Friday	Kneeland	Robertson	Thompson
Cain	Fuller	La Fetra	Robinson	Thornton
Callahan	Gardiner	Lawson	Roche	Tilton
Cassin	Gerst	Lee	Scanlon	Trainor
Chambers	Glenn	Loonan	Schoepflin	Tuttle
Chapman	Gray	Marrin	Schulz, H	Vacheron
Clark, F.E.	Hennessy	McDermott	Seibert	Wells
Clark, J. H.	Herrman	McKeon	Sheffield	Wieman
Conklin	Higbie	McNamee	Smith, M.F.	Wilcox
Coughlin	Hoefler	Melody	Smith, S.W.	Wyckoff
Cutler	Horton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 1275) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, to cancel and annul certain sales of property belonging to the mayor, aldermen and commonalty of the city of New York, leased to the Hahnemann hospital of the city of New York, for nonpayment of assessments, and to discharge and release certain assessments thereon" (Int. No. 992), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 2, after the word "authorized" insert the words "in their discretion."

Same section, last line, after the word "and" and before the word "to" insert the words "in their discretion."

Section 2, line 5, after the word "shall" insert the words "in their discretion."

Same section, line 8, after the word "shall" insert the words "in their discretion."

Mr. Speaker put the question whether the House would concur

in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Houghton	Myers	Stadtfeld
Baker	Dinkelspiel	Howe	O'Grady	Stein
Berry	Eldredge	Keck	Parkhurst	Stevens
Braun	Fairbrother	Keenan	Porter	Stone
Brennan	Finnigan	Keleher	Prescott	Sulzer
Brownell	Fish	Kelsey	Rider, J.J.	Terry, C.W.
Bush	Friday	Kern	Robertson	Terry, J.F.
Butts	Fuller	Kerrigan	Robson	Thompson
Cain	Gardiner	Kneeland	Roche	Tilton
Callahan	Gerst	Lawson	Scanlon	Trainor
Cassin	Glenn	Lee	Schoepflin	Tuttle
Chambers	Gould	Lounsbury	Schulz, F.F.	Vacheron
Chapman	Gray	Matthews	Seibert	Wells
Clark, J. H.	Herrman	McDermott	Sheffield	Whittet
Conklin	Higbie	Melody	Sherwood	Wieman
Coughlin	Hobbie	Messiter	Smith, S.W.	Wilcox
Cutler	Hoefer	Mitnacht	Snyder	Wyckoff
Dean	Horton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 1552) entitled "An act to incorporate the 'Children's Aid Society of Rochester' (Int. No. 1387), with a message that they have concurred in the passage of the same, with the following amendment :

Section 5, after the word "Monroe" strike out the words from "paid" to "poor," inclusive, and insert the words "to be audited and paid by the board of supervisors."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Myers	Stadtfeld
Babcock	Dinkelspiel	Howe	Nixon	Stein
Baker	Eldredge	Keck	O'Grady	Stewart

Braun	Fairbrother	Keenan	Parkhurst	Stone
Brownell	Finnigan	Kelsey	Porter	Sulzer
Burtis	Foley	Kern	Prescott	Terry, C.W.
Bush	Friday	Kerrigan	Rider, J.J.	Terry, J.F.
Butts	Fuller	Kneeland	Robbins	Thornton
Cain	Gardiner	La Fetra	Robson	Tobin
Carroll	Gerst	Lawson	Ryder, E.L.	Trainor
Chambers	Glenn	Lee	Scanlon	Vacheron
Clark, F.E.	Gould	Lounsbury	Schoepflin	Van Amber
Clark, J. H.	Gray	Marrin	Schulz, F.F.	Vehslage
Conklin	Herrman	Matthews	Seibert	Whittet
Corrigan	Higbie	McKeon	Sherwood	Wieman
Cutler	Hoefer	McNamee	Smith, M.F.	Wray
Davidson	Horton	Melody	Smith, S.W.	Wyckoff
Dean	Hotaling	Messiter	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 486) entitled "An act to regulate the use of barbed wire in the construction of division fences" (Int. No. 459), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out section 3.

Make section 4 section 3.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Parkhurst	Stadtfeld
Babcock	Eldredge	Keck	Porter	Stein
Baker	Fairbrother	Keenan	Prescott	Stewart
Berry	Finnigan	Kelsey	Reilly	Stone
Braun	Fish	Kerr	Robbins	Taylor
Brownell	Friday	Kern	Robertson	Terry, C.W.
Burtis	Fuller	Kerrigan	Robson	Thompson
Butts	Gardiner	Kneeland	Roche	Thornton
Callahan	Gerst	La Fetra	Scanlon	Tilton
Carroll	Glenn	Lawson	Schoepflin	Trainor
Chambers	Gould	Lounsbury	Schulz, F.F.	Tuttle
Clark, F.E.	Gray	Matthews	Schulz, H	Vacheron
Clark, J. H.	Herrman	McDermott	Seibert	Van Amber
Conklin	Higbie	McKeon	Sheffield	Wells

Coughlin	Hoefler	Melody	Sherwood	Whittet
Cutler	Horton	Messiter	Smith, M.F.	Wilcox
Dean	Hotaling	Myers	Smith, S.W.	Wray
Denniston	Houghton	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 1120) entitled "An act to amend section 52 of chapter 410 of the Laws of 1882, relating to salaries of the president of the department of taxes and assessments and commissioners of said department and deputy tax commissioners, and to provide for the payment thereof" (Int. No. 953), with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, line 7, after the word "sum" insert the words "in its discretion."

Same section, line 9, after the word "sum" insert the words "in its discretion."

Same section, strike out in lines 10 and 11 all from the word "and" to the word "each," inclusive.

At the end of section 1 add the words "in its discretion."

Section 2, line 2, strike out the word "directed" and insert the words "empowered in its discretion."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keck	Parkhurst	Stein
Baker	Dowling	Keleher	Plant	Stewart
Braun	Eldredge	Kerr	Prescott	Stone
Brennan	Fairbrother	Kern	Reilly	Sulzer
Burtis	Fish	Kerrigan	Robbins	Terry, C W.
Bush	Friday	Kneeland	Robertson	Terry, J.F.
Butts	Fuller	La Fetra	Robinson	Thornton
Cain	Gardiner	Lawson	Roche	Tilton
Callahan	Gerst	Lee	Ryder, E.L.	Trainor
Carroll	Glenn	Lounsbury	Schillinger	Vacheron
Cassin	Gould	Marrin	Schoepflin	Van Amber
Chapman	Gray	Matthews	Schulz, F.F.	Wells
Clark, J. H.	Herrman	McKeon	Seibert	Whittet

Conklin	Higbie	McNamee	Sherwood	Wilcox
Coughlin	Hoefler	Melody	Smith, M.F.	Wray
Davidson	Horton	Mittnacht	Smith, S.W.	Wyckoff
Dean	Hotaling			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 1274) entitled "An act to provide for repairing the bridges across the Tonawanda creek on the Tonawanda Indian Reservation, and make an appropriation for the same" (Int. No. 1186), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 6, strike out the words "two thousand" and insert the words "eight hundred."

Section 2, line 1, strike out the word "twelve" and insert the word "eight."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Howe	O'Grady	Stadtfeld
Baker	Eldredge	Keck	Parkhurst	Stein
Berry	Fairbrother	Keenan	Porter	Stewart
Braun	Fish	Kelsey	Prescott	Stone
Brennan	Friday	Kerr	Rider, J.J.	Sulzer
Brownell	Fuller	Kern	Robbins	Terry, G.W.
Burtis	Gardiner	Kneeland	Robertson	Thompson
Cain	Gerst	La Fetra	Robson	Thornton
Callahan	Glenn	Lawson	Ryder, E.L.	Tilton
Carroll	Gould	Lee	Scanlon	Trainor
Chambers	Gray	Lounsbury	Schoepflin	Tuttle
Chapman	Herrman	Marrin	Schulz, F.F.	Van Amber
Clark, F.E.	Higbie	Matthews	Schulz, H	Wells
Clark, J. H.	Hobbie	McKeon	Sheffield	Whittet
Conklin	Hoefler	Melody	Sherwood	Wilcox
Cutler	Horton	Messiter	Smith, S.W.	Wray
Dean	Hotaling	Mittnacht	Snyder	Wyckoff
Denniston	Houghton	Myers		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 645) entitled "An act to amend chapter 323 of the Laws of 1887, entitled 'An act in relation to the labeling and marking of convict-made goods, wares and merchandise manufactured in States requiring the labeling and marking of such goods, wares and merchandise'" (Int. No. 608), with a message that they have concurred in the passage of the same, with the following amendments:

Make section 3 read as follows:

"§ 3. This act shall not apply to or effect contracts now existing or the sale of any goods now made or that may hereafter be made under any existing contract."

Change section 3 to section 4.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Fish	Keleher	Porter	Stein
Baker	Friday	Kelsey	Prescott	Stevens
Braun	Fuller	Kerr	Rider, J.J.	Stewart
Brownell	Gardiner	Kern	Robbins	Stone
Burtis	Gerst	Kneeland	Robertson	Sulzer
Bush	Glenn	La Fetra	Robson	Terry, C. W.
Butts	Gould	Lawson	Ryder, E.L.	Terry, J.F.
Carroll	Gray	Lounsbury	Scanlon	Thompson
Cassin	Harrigan	Marrin	Schoepflin	Thornton
Chambers	Herrman	Matthews	Schulz, F.F.	Tilton
Clark, F.E.	Higbie	McKeon	Seibert	Trainor
Clark, J. H.	Hobbie	McNamee	Sheffield	Tuttle
Conklin	Hoefler	Melody	Sherwood	Van Amber
Cutler	Horton	Messiter	Smith, M.F.	Wells
Dean	Hotaling	Myers	Smith, S.W.	Wieman
Denniston	Houghton	O'Donnell	Snyder	Wray
Eldredge	Howe	O'Grady	Stadtfield	Wyckoff
Fairbrother	Keck	Parkhurst		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 823) entitled "An act to provide for subsistence, pay and expenses of light artillery of National Guard, N. Y." (Int. No. 757), with a message that they

have concurred in the passage of the same, with the following amendments :

Line 2, strike out the word "three" after the word "of" and insert the word "fifteen."

Line 5, strike out the word "battery" and insert the word "batteries."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Fairbrother	Keleher	Porter	Stein
Baker	Finnigan	Kelsey	Prescott	Stevens
Braun	Fish	Kerr	Reilly	Stewart
Burtis	Friday	Kern	Robbins	Stone
Bush	Fuller	Kneeland	Robertson	Sulzer
Butts	Gardiner	La Fetra	Robson	Terry, C.W.
Callahan	Gerst	Lawson	Roche	Thompson
Carroll	Glenn	Lee	Scanlon	Thornton
Cassin	Gould	Lounsbury	Schoepflin	Trainor
Clark, F.E.	Gray	Marrin	Schulz, F.F.	Tuttle
Clark, J. H.	Herrman	Matthews	Seibert	Vacheron
Conklin	Higbie	McKeon	Sheffield	Van Amber
Coughlin	Hoefer	Melody	Sherwood	Wells
Davidson	Horton	Messiter	Smith, M.F.	Whittet
Dean	Hotaling	Myers	Smith, S.W.	Wieman
Denniston	Houghton	O'Donnell	Snyder	Wilcox
Dinkelspiel	Howe	Parkhurst	Stadtfeld	Wyckoff
Eldredge	Keck			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (not printed) entitled "An act to amend chapter 243 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' as amended and established by chapter 14, Laws of 1880, and the several acts amendatory thereof and supplementary thereto" (Int. No. 114), with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, line 2 of subdivision 6, after the word "wages" insert the words "and contingent fund."

Same section, line 3, strike out the word "fourteen" and insert the word "sixteen."

Same section, line 5, strike out the word "registered" and insert the word "enrolled."

Same section, line 18, strike out the word "fifteen" and insert the word "fifty."

Mr. O'Grady moved to non-concur in said amendments, and that a committee of conference be appointed thereon, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee on the part of the Assembly, Messrs. O'Grady, Stewart, Cutler, Dowling and Southworth.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to facilitate travel upon elevated railroads in the city of New York." (No. 24, Int. No. 26.)

"An act to amend chapter 538 of the Laws of 1889, entitled 'An act to apply to the Cornell university the benefits of the act of Congress of the United States, approved March 2, 1887, entitled An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.'" (No. 296, Int. No. 272.)

"An act to amend section 22 of chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' as amended by chapter 70 of the Laws of 1881." (No. 1590, Int. No. 1340.)

"An act to amend chapter 116 of the Laws of 1882, entitled 'An act authorizing the local boards of the State normal schools of this State to insure the buildings and property belonging to said schools for the benefit of the State.'" (No. 888, Int. No. 817.)

"An act to extend and improve the State Rifle Range at Bath-

on-the-Hudson, and making an appropriation therefor." (No. 169, Int. No. 1073.)

"An act reappropriating an unexpended balance of certain moneys appropriated by chapter 726 of the Laws of 1893, for a duplicate pump for water supply for the St. Lawrence Hospital, for other purposes." (No. 1243, Int. No. 1135.)

"An act to amend chapter 569 of the Laws of 1890, known as 'the town law.'" (No. 802, Int. No. 494.)

"An act to repeal section 2 of chapter 499 of the Laws of 1893, entitled 'An act concerning the canals and experimental work thereon.'" (No. 784, Int. No. 734.)

"An act authorizing William S. Tuttle to raise and remove certain sunken vessels or boats from near the upper end of Lake George, N. Y." (No. 894, Int. No. 824.)

"An act providing for the submission of the question of consolidation of the city of Mount Vernon with certain territory under a municipal administration to a vote of the people." (No. 909, Int. No. 837.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Scanlon, rising to a question of privilege, said :

Mr. Speaker, I rise to a question of personal privilege. Some time ago there was a bill before the House in regard to raising the American flag on public buildings. I was in favor of that bill. Imagine my surprise when some of the papers in the city where I live condemned me for it. I want to state most emphatically, Mr. Speaker, that I was in favor of that bill, and voted for it.

A message from the Governor, by the hands of his private secretary, was received and read, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 24, 1894. }

To the Assembly :

Assembly bill No. 167, entitled "An act to amend the Military Code, in relation to parades and drills by members of the order of the Sons of Veterans," is herewith returned without approval.

The Military Code at present extends the privilege of parading in public with firearms only to regularly organized companies of the National Guard, to troops of the United States, to certain independent military organizations and to associations composed wholly of soldiers honorably discharged from the service of the United States. The independent military organizations are liable

to be called out in times of emergency to aid the National Guard in quelling invasion, riots, etc., and this liability justifies to some extent the privileges accorded to them.

The bill returned herewith includes associations of Sons of Veterans among those entitled to parade with firearms in public, but exempts them from any liability to be called out to the assistance of the National Guard. If an exception of this sort is made in favor of the Sons of Veterans there would seem to be no good reason for refusing the same privilege to any other reputable body of citizens, and all kinds of citizens' organizations could with propriety demand the right to parade in public with firearms. The question involved in this bill is, therefore, not confined to the propriety of the enactment of its particular provisions, but includes the propriety of establishing what might be a troublesome precedent, and possibly a dangerous result in times of riot or insurrection. The law as it now stands has proved satisfactory, and I question the wisdom of changing its provisions, even for so honorable an organization as the Sons of Veterans.

ROSWELL P. FLOWER.

On motion of Mr. Stewart, said bill and the accompanying message were laid upon the table.

Also, the following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 24, 1894. }

To the Assembly:

Assembly bill No. 459, entitled "An act to consolidate and facilitate the collection of taxes and assessments in Richmond county," is herewith returned without approval.

The main purpose of this bill is to abolish the office of town collector in each town of Richmond county, and to substitute therefor a deputy of the county treasurer to be appointed by him with the approval of the board of supervisors. The bill recognizes the necessity of an officer corresponding to town collector in each town, by providing an appointive county officer for each town to do the work of the town collector. Although the new deputy county treasurer is thus formally and technically made a county officer, he is substantially and in fact a town officer performing a part of the essential functions of town government. While, therefore, this bill may not violate the letter, it certainly does violate the spirit of the provisions of the State Constitution (article X, section 2) that all town officers shall be elected by the electors of such towns or appointed by the authorities thereof.

As said by the Court of Appeals, per Andrews, J., in *People ex rel. Williamson v. McKinney*, 52 N. Y. 374, "the office of town collector existed when the first Constitution of the State was formed. It has continued since that time. For the whole

period it has been an elective office. * * * The obvious purpose of the provision of the Constitution which has been quoted, was to secure to the people of the cities, towns or villages of the State the right to have their local offices administered by officers selected by themselves. * * * The purpose of this provision to secure local government through the local constituency is in harmony with the other provisions of the Constitution of 1846."

The constitutional guarantees of home rule as thus expounded by one of the greatest jurists of the State, are none the less violated because of transferring from a town officer to a county officer functions which have been so uniformly recognized from the birth of the State of New York until now, as properly belonging to town officials.

I have discovered no indications of public dissatisfaction in Richmond county with the system of town collectors which has proved satisfactory in the other counties of the State for more than a hundred years.

The bill further violates the fundamental principles of home rule by legislating out of office the town collectors elected by the people of the towns of Richmond county, and compelling the the county treasurer to accept them as his deputies. Not content with this severe imposition upon the county treasurer, the bill further provides that in case of default by the county treasurer in accounting for or paying over any taxes collected by his deputies, the supervisors shall, in the first instance, promptly issue to the sheriff a warrant commanding him to levy the sum thus unaccounted for or unpaid on the property of the county treasurer.

But it is the fundamental theory of this bill, rather than its defects in details, which render it objectionable. Good government in towns will not be obtained by relieving the electors of the town of responsibility for the character of their town officials

ROSWELL P. FLOWER.

On motion of Mr. Taylor, said bill and the accompanying message were laid upon the table.

Also, the following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 24, 1894.

To the Assembly :

Assembly bill No. 967, entitled "An act to amend the town law, relating to the division of fences," is herewith returned without approval.

For more than fifty years in this State a landowner has not been compelled to build a division fence if on due notice he chooses to let his lands lie open to all animals of his neighbor's land, and does not permit his animals to trespass upon the lands of his neighbor. This bill proposes to abolish such privilege and to enable one landowner to compel his neighbor to keep up a

division fence, although he has no animals to trespass on his neighbor and has no objection to his neighbor's animals trespassing on him.

When lands are sparsely settled and uncleared this bill might work hardships and injustice. In the more thickly settled and closely cultivated portions of the State, both parties have usually such mutual interests in the maintenance of a division fence that neither of them will ordinarily care to let his lands lie open. In all events, the advantages to be gained by this bill in the latter class of cases do not seem sufficient to counterbalance the hardships which would result from its adoption in the former class of cases.

ROSWELL P. FLOWER.

On motion of Mr. Parkhurst, said bill and the accompanying message were laid upon the table.

Mr. Speaker announced the special order of the day, being the bill (No. 1722) entitled "An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville'" (Int. No. 1458.)

Said bill was read the second time and ordered to a third reading.

On motion of Mr. Keck, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Plant	Stewart
Babcock	Dinkelspiel	Keck	Porter	Stone
Baker	Douglas	Kelsey	Prescott	Sulzer
Berry	Dowling	Kerr	Rider, J.J.	Taylor
Braun	Eldredge	Kern	Robbins	Terry, C.W.
Brennan	Fairbrother	Kneeland	Robertson	Terry, J.F.
Brownell	Fish	La Fetra	Robson	Thompson
Burtis	Foley	Lasch	Roche	Tilton
Bush	Friday	Lawson	Ryder, E.L.	Tobin
Butts	Fuller	Lee	Scanlon	Trainor
Cain	Gerst	Loonan	Schoepflin	Tuttle
Carroll	Glenn	McDermott	Schulz, F.F.	Van Amber
Cassin	Gould	McNamee	Schulz, H	Vehslage
Chambers	Harrigan	Melody	Sheffield	Wells
Clark, F.E.	Herrman	Messiter	Sherwood	Whittet

Clark, J. H.	Higbie	Mittnacht	Smith, M.F.	Wieman
Conklin	Hoefler	Myers	Smith, S.W.	Wilcox
Corrigan	Horton	O'Grady	Stadtfeld	Wray
Cutler	Hotaling	Parkhurst	Stevens	Wyckoff
Davidson	Houghton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to previous notice, Mr. Sheffield moved to suspend Assembly rules 3, 15, 16, 17, 28, 29 and 49 for the purpose of reading out of its order Assembly bill No. 1456, entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1210), now on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 73 }
{ NOES 38 }

Those who voted in the affirmative, were

Ainsworth	Fish	Keck	Scanlon	Terry, C.W
Babcock	Friday	Kelsey	Schoepflin	Terry, J.F.
Baker	Fuller	Kern	Schulz, F.F.	Thompson
Braun	Gardiner	Kneeland	Schulz, H	Tilton
Brownell	Gerst	Lawson	Sheffield	Tuttle
Burtis	Glenn	Lee	Sherwood	Vacheron
Chambers	Gould	Matthews	Smith, M.F.	Van Amber
Clark, F.E.	Gray	Messiter	Smith, S.W.	Wells
Clark, J. H.	Higbie	O'Grady	Snyder	Whittet
Conklin	Hobbie	Parkhurst	Stadtfeld	Wieman
Cutler	Hoefler	Porter	Stevens	Wilcox
Dean	Horton	Prescott	Stewart	Wray
Denniston	Hotaling	Rider, J.J.	Stone	Wyckoff
Eldredge	Houghton	Robbins	Taylor	Speaker
Fairbrother	Howe	Robson		

Those who voted in the negative, were

Berry	Corrigan	Keleher	McKeon	Roche
Brennan	Coughlin	Kerr	McNamee	Ryder, E.L.
Bush	Dowling	Kerrigan	Melody	Schillinger
Butts	Foley	La Fetra	Myers	Sulzer
Cahill	Gleason	Lasch	O'Donnell	Tobin
Cain	Harrigan	Loonan	Plant	Trainor
Callahan	Herrman	Marrin	Robinson	Vehslage
Carroll	Keenan	McDermott		

Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Cutler	Houghton	Messiter	Snyder
Babcock	Davidson	Howe	Mittnacht	Stadtfeld
Baker	Dean	Hoysradt	Myers	Stevens
Berry	Denniston	Keck	O'Grady	Stewart
Braun	Dinkelspiel	Keenan	Parkhurst	Stone
Brennan	Dowling	Keleher	Plant	Sulzer
Brownell	Eldredge	Kelsey	Porter	Taylor
Burtis	Fairbrother	Kerr	Prescott	Terry, C.W.
Bush	Fish	Kern	Rider, J.J.	Terry, J.F.
Butts	Foley	Kerrigan	Robbins	Tilton
Cahill	Friday	Kneeland	Robinson	Tobin
Cain	Fuller	La Fetra	Robson	Trainor
Callahan	Gerst	Lasch	Roche	Tuttle
Carroll	Glenn	Lawson	Ryder, E.L.	Van Amber
Cassin	Gould	Lee	Scanlon	Vehslage
Chambers	Gray	Loonan	Schillinger	Wells
Chapman	Harrigan	Marrin	Schoepflin	Whittet
Clark, F.E.	Herrman	Matthews	Schulz, F.F.	Wieman
Clark, J. H.	Higbie	McDermott	Schulz, H	Wilcox
Conklin	Hoefer	McKeon	Sheffield	Wray
Corrigan	Horton	McNamee	Sherwood	Wyckoff
Coughlin	Hotaling	Melody	Smith, S.W.	Speaker 110

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Gleason and M. F. Smith, who, upon giving satisfactory explanation for having been absent, were excused.

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sheffield then called up said bill.

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Sheffield moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 38 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robbins	Stone
Babcock	Fuller	Kerr	Robertson	Taylor
Baker	Gardiner	Kern	Robinson	Terry, C W.
Braun	Gerst	Kneeland	Robson	Terry, J.F.
Brownell	Glenn	Lawson	Scanlon	Thompson
Burtis	Gould	Lee	Schoepflin	Tilton
Cain	Gray	Matthews	Schulz, F.F.	Tuttle
Carroll	Hennessy	Messiter	Schulz, H	Vacheron
Chambers	Higbie	Myers	Seibert	Van Amber
Clark, F.E.	Hobbie	O'Grady	Sheffield	Wells
Conklin	Hoefler	Parkhurst	Sherwood	Whittet
Cutler	Horton	Plant	Smith, M.F.	Wieman
Dean	Hotaling	Porter	Smith, S. W.	Wilcox
Denniston	Houghton	Prescott	Snyder	Wray
Eldredge	Howe	Reilly	Stevens	Wyckoff
Fairbrother	Keck	Rider, J.J.	Stewart	Speaker
Fish	Keenan			

Those who voted in the negative, were

Berry	Coughlin	Hoysradt	McKeon	Schillinger
Brennan	Davidson	Keleher	McNamee	Southworth
Bush	Dinkelspiel	Kerrigan	Melody	Stein
Butts	Douglas	La Fetra	Mittnacht	Sulzer
Callahan	Dowling	Lasch	O'Donnell	Tobin
Cassin	Finnigan	Loonan	Roche	Trainor
Chapman	Foley	Marrin	Ryder, E.L.	Vehslage
Corrigan	Herrman	McDermott		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Braun, from the committee on printed and engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend chapter 410 of the Laws of 1884, entitled 'An act to amend chapter 354 of the Laws of 1883, entitled An act to regulate and improve the civil service of the State of New York.' " (Int. No. 930.)

"An act to lay out and establish a grand boulevard and concourse, together with fifteen roads running transversely underneath said boulevard in the city of New York." (Int. No. 507.)

"An act making an appropriation for the State land survey." (Int. No. 916.)

"An act to vacate certain assessments for improving Second avenue in the city of Albany." (Int. No. 1089.)

"An act to legalize all assessments for local improvement heretofore made in the city of Watertown." (Int. No. 1327.)

"An act to amend section 714 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 567 of the Laws of 1887, relating to the department of docks." (Int. No. 1095.)

"An act to amend the insurance law." (Int. No. 1204.)

Mr. Kneeland moved to take from the table the motion to reconsider the vote by which the bill (No. 1695) entitled "An act to incorporate the Equitable Securities Company" (Int. No. 1459) was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 30 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Horton	Prescott	Stone
Babcock	Douglas	Houghton	Rider, J.J.	Terry, J.F.
Braun	Eldredge	Howe	Robbins	Thompson
Brennan	Fairbrother	Keck	Robson	Tilton
Brownell	Fish	Kelsey	Scanlon	Tuttle
Burtis	Friday	Kern	Schoepflin	Vacheron
Chambers	Fuller	Kneeland	Seibert	Van Amber
Clark, F.E.	Gardiner	Lawson	Sheffield	Wells
Clark, J. H.	Gerst	Lee	Sherwood	Whittet
Conklin	Gould	Matthews	Smith, M.F.	Wilcox
Cutler	Herrman	Messiter	Smith, S.W.	Wray
Davidson	Higbie	O'Grady	Snyder	Wyckoff
Dean	Hobbie	Parkhurst	Southworth	Speaker
Denniston	Hoefer	Porter	Stein	

Those who voted in the negative, were

Berry	Coughlin	Keenan	McDermott	Plant
Bush	Dowling	Keleher	McKeon	Schillinger

Butts	Foley	Kerrigan	McNamee	Sulzer
Cain	Gleason	Lasch	Melody	Tobin
Cassin	Harrigan	Loonan	Myers	Trainor
Corrigan	Hennessy	Marrin	O'Donnell	Vehslage

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 71 }
{ NOES 23 }

Those who voted in the affirmative, were

Ainsworth	Dean	Gray	Lee	Sherwood
Babcock	Denniston	Harrigan	Matthews	Smith, M.F.
Baker	Dinkelspiel	Herrman	Messiter	Smith, S.W.
Braun	Douglas	Higbie	O'Grady	Snyder
Brownell	Eldredge	Hobbie	Parkhurst	Southworth
Burtis	Fairbrother	Hoefler	Porter	Terry, J.F.
Butts	Finnigan	Horton	Prescott	Tilton
Cahill	Fish	Houghton	Rider, J.J.	Tuttle
Carroll	Friday	Howe	Robbins	Vacheron
Chambers	Fuller	Keck	Robertson	Van Amber
Clark, F.E.	Gardiner	Kelsey	Robson	Whittet
Clark, J. H.	Gerst	Kern	Ryder, E.L.	Wieman
Conklin	Glenn	Kneeland	Schulz, F.F.	Wray
Cutler	Gould	Lawson	Sheffield	Speaker
Davidson				

Those who voted in the negative, were

Brennan	Dowling	La Petra	McNamee	Schillinger
Bush	Foley	Loonan	Myers	Sulzer
Callahan	Hennessy	Marrin	Plant	Tobin
Cassin	Keleher	McDermott	Reilly	Trainor
Corrigan	Kerrigan	McKeon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act to amend the Legislative law" (Int. No. 1497), which was read the first time.

Mr. Fish asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Keenan	Parkhurst	Stadtfeld
Babcock	Dowling	Keleher	Plant	Stein
Baker	Eldredge	Kelsey	Porter	Stevens
Berry	Fairbrother	Kerr	Prescott	Stewart
Braun	Finnigan	Kern	Reilly	Stone
Brennan	Foley	Kerrigan	Rider, J. J.	Taylor
Brownell	Friday	Kneeland	Robbins	Terry, C. W.
Burtis	Gardiner	La Fetra	Robertson	Terry, J. F.
Bush	Gerst	Lasch	Robinson	Thompson
Butts	Gleason	Lawson	Robson	Thornton
Cahill	Gray	Lounsbury	Roche	Tobin
Callahan	Harrigan	Loonan	Ryder, E. L.	Trainor
Carroll	Hennessy	Matthews	Scanlon	Tuttle
Cassin	Herrman	McDermott	Schillinger	Van Amber
Chambers	Higbie	McKeon	Schulz, F. F.	Wells
Clark, F. E.	Hobbie	Melody	Schulz, H.	Whittet
Conklin	Hoefler	Messiter	Sheffield	Wieman
Corrigan	Horton	Mittnacht	Sherwood	Wilcox
Coughlin	Houghton	Myers	Smith, M. F.	Wray
Cutler	Howe	Nixon	Smith, S. W.	Wyckoff
Davidson	Keck	O'Grady	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Tuttle moved that the committee on ways and means be discharged from the consideration of the bill (No 1755), entitled "An act making an appropriation for repairs to the New York State Institution for the Blind at Batavia" (Int. No. 1494.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Tuttle, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keck	Porter	Stevens
Baker	Fairbrother	Keleher	Prescott	Stewart
Braun	Fish	Kelsey	Rider, J.J.	Stone
Brownell	Friday	Kern	Robbins	Sulzer
Burtis	Fuller	Kneeland	Robertson	Terry, C W.
Bush	Gardiner	Lasch	Robson	Terry, J.F.
Butts	Gerst	Lawson	Scanlon	Thornton
Callahan	Gould	Lee	Schoepflin	Tilton
Carroll	Gray	Lounsbury	Schulz, H	Trainor
Chambers	Herrman	Marrin	Seibert	Tuttle
Chapman	Higbie	Matthews	Sheffield	Vacheron
Clark, F.E.	Hobbie	McKeon	Sherwood	Van Amber
Clark, J. H.	Hoefer	Melody	Smith, M.F.	Wells
Conklin	Horton	Messiter	Smith, S.W.	Whittet
Cutler	Hotaling	Myers	Snyder	Wilcox
Dean	Houghton	O'Grady	Stadtfeld	Wray
Dinkelspiel	Howe	Parkhurst	Stein	Wyckoff
Douglas				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker appointed as the committee of conference on the Assembly bill (No. 860) entitled "An act to open the Fulton chain of lakes and the connecting streams thereof as a public highway" (Int. No. 262), Messrs. Prescott, Stevens, Vacheron, Hennessy and Herrman.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be

sent to the Governor, requesting the return to the Senate of Senate bill No. 312, entitled "An act to authorize building and mutual loan corporations and co-operative loan associations to issue single payment stock" (Rec. No. 51), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Cutler called from the table the bill (No. 1555) entitled "An act to amend the town law, relating to the compensation of highway commissioners" (Int. No. 1375), previously laid aside on the order of third reading.

On motion of Mr. Cutler, said bill was amended as follows:

Section 1, line 17, strike out the words "shall be entitled to and shall," and insert the word "may."

Same section, at the end of line 8, after the word "hire" add the words "in the discretion of the auditing board of the town."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Parkhurst	Stein
Babcock	Fish	Kerr	Plant	Stevens
Baker	Foley	Kern	Porter	Stewart
Berry	Friday	Kerrigan	Prescott	Stone
Braun	Fuller	Kneeland	Reilly	Taylor
Brownell	Gerst	La Fetra	Rider, J.J.	Terry, C.W.
Burtis	Glenn	Lasch	Robbins	Terry, J.F.
Bush	Gould	Lawson	Robertson	Thornton
Cahill	Gray	Marrin	Robinson	Tilton
Cain	Hennessy	Matthews	Roche	Tobin
Carroll	Herrman	McDermott	Scanlon	Tuttle
Chambers	Higbie	McKeon	Schoepflin	Vacheron
Clark, F.E.	Hobbie	Melody	Schulz, F.F.	Vehslage
Conklin	Horton	Messiter	Seibert	Wells
Corrigan	Hotaling	Mittnacht	Sheffield	Whittet
Cutler	Howe	Nixon	Smith, M. F.	Wilcox

Dean	Hoysradt	O'Donnell	Snyder	Wray
Douglas	Keck	O'Grady	Southworth	Wyckoff
Dowling	Keenan			

In the negative,

Denniston

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Marrin offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That the bill (No. 41) entitled "An act providing for the record of documents relating to real estate in the Twenty-third and Twenty-fourth wards of the city of New York" (Int. No. 44), recalled from the Governor for the the purpose of amendment, be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. J. F. Terry called from the table the Senate bill (No. 4) entitled "An act to amend section 3347 of the Code of Civil Procedure" (Rec. No. 151), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kelsey	Prescott	Stevens
Babcock	Fairbrother	Kerr	Rider, J.J.	Stewart
Berry	Fish	Kern	Robbins	Sulzer
Braun	Friday	Kneeland	Robertson	Taylor
Burtis	Fuller	Lasch	Robson	Terry, C.W.
Bush	Gardiner	Lawson	Roche	Terry, J.F.
Butts	Glenn	Lee	Scanlon	Thompson
Callahan	Gould	Lounsbury	Schoepflin	Thornton
Cassin	Herrnan	Matthews	Schulz, F.F.	Trainor
Clark, F.E.	Higbie	McDermott	Schulz, H	Vacheron

Clark, J. H.	Hobbie	McNamee	Seibert	Van Amber
Conklin	Horton	Messiter	Sheffield	Wells
Cutler	Houghton	Myers	Smith, M.F.	Whittet
Dean	Howe	O'Grady	Smith, S.W.	Wieman
Denniston	Keck	Parkhurst	Snyder	Wray
Dowling	Keleher	Porter	Stadtfeld	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Vacheron called from the table the Senate bill (No. 153) entitled "An act to provide for the payment of rent for certain buildings in Long Island City, used for educational purposes by said city" (Rec. No. 44), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 90 }

Those who voted in the affirmative, were

Ainsworth	Foley	Kern	Prescott	Stewart
Babcock	Friday	Kerrigan	Reilly	Stone
Baker	Fuller	Kneeland	Rider, J.J.	Sulzer
Brennan	Gardiner	La Petra	Robertson	Taylor
Brownell	Gerst	Lasch	Robinson	Ferry, C.W.
Cahill	Glenn	Lawson	Ryder, E.L.	Terry, J.F.
Cain	Gould	Lee	Scanlon	Thompson
Carroll	Gray	Lounsbury	Schillinger	Thornton
Cassin	Herrman	Marrin	Schulz, F.F.	Tilton
Clark, F.E.	Higbie	Matthews	Schulz, H	Tobin
Conklin	Hobbie	McKeon	Seibert	Tuttle
Coughlin	Horton	McNamee	Sheffield	Vacheron
Cutler	Hotaling	Melody	Sherwood	Van Amber
Dean	Houghton	Messiter	Smith, M.F.	Wells
Denniston	Howe	Mitnacht	Smith, S.W.	Whittet
Dinkelspiel	Keck	O'Donnell	Southworth	Wieman
Eldredge	Keenan	O'Grady	Stadtfeld	Wilcox
Fairbrother	Kelcher	Plant	Stein	Wray
Fish	Kelsey	Porter	Stevens	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with

a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill :

“An act to reorganize the board of excise commissioners for the county of Richmond” (No. 876, Rec. No. 461), which was read the first time.

Mr. Ainsworth moved that said bill be referred to the committee on rules.

Mr. Sulzer moved that said bill be referred to the committee on excise.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sulzer, and it was determined in the negative.

{ AYES 49 }
{ NOES 70 }

Those who voted in the affirmative, were

Berry	Corrigan	Herrman	McDermott	Ryder, E.L.
Brennan	Coughlin	Hoysradt	McKeon	Schillinger
Bush	Dinkelspiel	Keenan	McNamee	Southworth
Butts	Douglas	Keleher	Melody	Stadtfeld
Cahill	Dowling	Kerr	Mittnacht	Stein
Cain	Finnigan	Kerrigan	Myers	Sulzer
Callahan	Foley	La Fetra	O'Donnell	Tobin
Carroll	Gleason	Lasch	Plant	Trainor
Cassin	Harrigan	Loonan	Reilly	Vehslage
Chapman	Hennessy	Marrin	Robinson	

Those who voted in the negative, were

Ainsworth	Fish	Keck	Robertson	Taylor
Babcock	Friday	Kelsey	Robson	Terry, C.W.
Baker	Fuller	Kern	Scanlon	Terry, J.F.
Braun	Gerst	Kneeland	Schoepflin	Thompson
Brownell	Glenn	Lawson	Schulz, H	Tilton
Burtis	Gould	Lee	Seibert	Tuttle
Chambers	Gray	Matthews	Sheffield	Vacheron
Clark, F.E.	Higbie	Messiter	Sherwood	Van Amber
Clark, J. H.	Hobbie	O'Grady	Smith, M.F.	Wells
Conklin	Hoefer	Parkhurst	Smith, S.W.	Whittet
Cutler	Horton	Porter	Snyder	Wieman
Dean	Hotaling	Prescott	Stevens	Wilcox
Eldredge	Houghton	Rider, J.J.	Stewart	Wray
Fairbrother	Howe	Robbins	Stone	Wyckoff

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bill :

"An act in relation to the police force in Richmond county" (No. 969, Rec. No. 462), which was read the first time.

Mr. Sulzer moved that said bill be referred to the committee on internal affairs.

Mr. Ainsworth moved to amend by referring said bill to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

} AYES 68 }
 } NOES 42 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Houghton	Robbins	Stone
Babcock	Fish	Howe	Robertson	Taylor
Baker	Friday	Keck	Robson	Terry, C.W.
Braun	Fuller	Kelsey	Scanlon	Terry, J.F.
Brownell	Gardiner	Kern	Schoepflin	Thompson
Burtis	Gerst	Kneeland	Schulz, H	Tilton
Chambers	Glenn	Lawson	Seibert	Tuttle
Clark, F.E.	Gould	Lee	Sheffield	Vacheron
Clark, J. H.	Gray	Matthews	Sherwood	Van Amber
Conklin	Higbie	O'Grady	Smith, M.F.	Wells
Cutler	Hobbie	Parkhurst	Smith, S.W.	Wilcox
Dean	Hoefer	Porter	Snyder	Wray
Denniston	Horton	Prescott	Stewart	Wyckoff
Eldredge	Hotaling	Rider, J.J.		

Those who voted in the negative, were

Berry	Coughlin	Keleher	McKeon	Schillinger
Bush	Dowling	Kerr	McNamee	Southworth
Butts	Finnigan	Kerrigan	Melody	Stadtfeld
Cahill	Foley	La Fetra	Mittnacht	Stein
Cain	Harrigan	Lasch	O'Donnell	Sulzer
Callahan	Hennessy	Loonan	Plant	Tobin
Cassin	Herrman	Marrin	Reilly	Trainor
Chapman	Hoyrardt	McDermott	Roche	Vehslage
Corrigan	Keenan			

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Sulzer, as amended, and it was determined in the affirmative.

The Senate returned the bill (No. 1597) entitled "An act to revise the charter of the city of Yonkers" (Int. No. 864), with a

message that they have concurred in the passage of the same, with the following amendments :

Title 3, page 11, section 1, line 19, strike out the sentence "He shall have power to employ a secretary."

Title 6, page 47, section 17, line 14, after the words "neglect or" insert the word "willful."

Same title, page 45, subdivision 8, line 8, after the word "two" insert the word "daily ;" also in line 15, after the word "divided" insert the words "and have the largest circulation in the city."

Same title, page 53, section 39, line 19, after the word "incumbrance" strike out the word "of."

Title 7, page 74, section 16, strike out lines 15, 16, 17, 18 and 19.

Same title, page 86, section 35, line 25, change the word "released" to "leased."

Same title, page 86, section 36, line 3, after the word "unpaid" insert the words "less the amount of any unpaid assessment bonds issued pursuant to the provisions of section 16 of this title."

Title 9, page 97, section 1, line 22, after the word "appoint," strike out the word "four" and insert the word "five."

Same title, page 98, section 1, line 1, after the words "of office of" strike out the words "the health officer or of."

Same title, same page, same line, change the word "commissioner" to "commissioners."

Same title, same page, same section, line 4, after the words "the office of" strike out the words "the health."

Same title, same section, line 5, strike out the words "officer or of."

Same title, same page, same section, line 10, after the word "appointed," strike out the words "by board of" and insert the words "on or before the 15th day of May, by the board of health, for the term of two years, and shall be removable only for good and sufficient cause, and shall receive a salary of \$2,000 per annum."

Same title, same page, same section, strike out all of line 11.

Same page, same section, line 12, strike out the words "at the rate of two thousand dollars per annum."

Same title, page 105, section 7, line 3, change the word "maintenances" to "maintenance."

Same title, same page, line 10, after the word "made" insert the words "It shall, on the 1st day of January, April, July and October of each year, make and present to the common council a report of all the work performed, expenditures made and moneys received. The common council shall not pay for any work with the superintendence or supervision of which the board of health is charged, unless the certificate of the president of the board of health, certifying the amount due, shall have been first presented to the common council."

Title 12, page 123, strike out all of section 18.

Same title, same page, make section 19 read section 18.

Same title, same page, make section 20 read section 19.

Same title, same page, make section 21 read section 20.

Same title, same page, make section 22 read section 21.

Same title, same page, make section 23 read section 22.

Same title, same page, make section 24 read section 23.

Mr. Bush moved that said bill with the amendments be referred to the committee on affairs of cities.

Mr. Fish moved to amend by adding thereto the words "and that said committee be directed to report said bill with the amendments immediately," and upon that motion moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Bush, as amended, and it was determined in the affirmative.

The committee reported back said bill as directed by the House.

Mr. Fish moved that the amendments of the Senate be concurred in.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 68 }
 { NOES 37 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Houghton	Robbins	Stone
Babcock	Fish	Howe	Robertson	Taylor
Baker	Friday	Keck	Robson	Terry, C.W
Braun	Fuller	Kelsey	Scanlon	Thompson
Brownell	Gardiner	Kern	Schoepflin	Thornton
Burtis	Gerst	Kneeland	Schulz, F.F.	Tilton
Chambers	Glenn	Lawson	Schulz, H	Tuttle
Clark, F.E.	Gould	Lee	Sheffield	Vacheron
Clark, J. H.	Gray	Matthews	Sherwood	Van Amber
Conklin	Higbie	O'Grady	Smith, M.F.	Wells

Cutler	Hobbie	Parkhurst	Smith, S.W.	Wilcox
Dean	Hoefer	Porter	Snyder	Wyckoff
Denniston	Horton	Prescott	Stewart	Speaker
Eldredge	Hotaling	Rider, J.J.		

Those who voted in the negative, were

Berry	Chapman	Harrigan	Loonan	Schillinger
Brennan	Corrigan	Herrman	McDermott	Southworth
Bush	Coughlin	Keenan	Melody	Stadtfeld
Butts	Douglas	Keleher	Mittnacht	Stein
Cain	Dowling	Kerrigan	Myers	Sulzer
Callahan	Finnigan	La Fetra	O'Donnell	Tobin
Carroll	Foley	Lasch	Roche	Trainor
Cassin	Gleason			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That the Legislature adjourn sine die Friday, April 27, 1894, at 12 o'clock, noon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

A message from the Senate was received and read in the words following :

IN SENATE, *April 25, 1894.*

Pursuant to a concurrent resolution of the Senate and Assembly the Governor returned the Senate bill (No. 129) entitled "An act to amend chapter 231 of the Laws of 1873, entitled 'An act to amend the charter of the West Side German Dispensary in the city of New York, as amended by chapter 427 of the Laws of 1892.'" (Int. No. 124.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Cantor, and by unanimous consent, said bill was amended to read as follows :

(Reference to printed bill.)

Page 2, section 3, strike out lines 25 and 26.

Page 3, same section, strike out lines 1, 2, 3 and 4.

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Berry	Eldredge	Keleher	Prescott	Stevens
Braun	Fairbrother	Kelsey	Reilly	Stewart
Brownell	Finnigan	Kern	Robbins	Stone
Burtis	Fish	Kerrigan	Robertson	Sulzer
Butts	Friday	Kneeland	Robson	Terry, C.W.
Cahill	Fuller	La Fetra	Roche	Terry, J.F.
Carroll	Gardiner	Lawson	Scanlon	Thompson
Cassin	Glenn	Lee	Schoepflin	Tilton
Chambers	Gould	Marrin	Schulz, F.F.	Trainor
Chapman	Gray	Matthews	Seibert	Tuttle
Clark, F.E.	Herrman	McKeon	Sheffield	Vacheron
Clark, J. H.	Higbie	McNamee	Sherwood	Van Amber
Conklin	Hoefler	Melody	Smith, M.F.	Wells
Coughlin	Horton	Messiter	Smith, S.W.	Whittet
Cutler	Hotaling	Myers	Snyder	Wilcox
Dean	Houghton	O'Donnell	Stadtfeld	Wray
Denniston	Howe	Parkhurst	Stein	Wyckoff
Dinkelspiel	Keck	Porter		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Houghton	Myers	Snyder
Baker	Douglas	Howe	O'Grady	Stadtfeld
Braun	Eldredge	Hoysradt	Parkhurst	Stein
Brennan	Fairbrother	Keenan	Plant	Stewart
Brownell	Fish	Keleher	Prescott	Stone
Bush	Foley	Kelsey	Reilly	Sulzer
Butts	Friday	Kerr	Robbins	Terry, C.W.
Cahill	Fuller	Kern	Robertson	Thompson
Callahan	Gardiner	Kneeland	Robinson	Tilton
Carroll	Gerst	La Fetra	Robson	Trainor
Cassin	Glenn	Lawson	Ryder, E.L.	Tuttle

Chambers	Gould	Lee	Scanlon	Vacheron
Clark, F.E.	Gray	Lounsbury	Schoepflin	Van Amber
Clark, J. H.	Harrigan	Marrin	Schulz, F.F.	Wells
Conklin	Herrman	Matthews	Seibert	Whittet
Coughlin	Higbie	McDermott	Sheffield	Wieman
Cutler	Hoefler	McNamee	Sherwood	Wray
Davidson	Horton	Melody	Smith, M.F.	Wyckoff
Denniston	Hotaling	Mittnacht	Smith, S.W.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

Mr. Ainsworth moved that the session be extended 10 minutes for the purpose of receiving reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Berry, and by unanimous consent, the Senate bill (No. 424) entitled "An act in relation to Centre avenue and Main street, in the village of New Rochelle, county of Westchester, and State of New York" (Rec. No. 108), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Myers	Stadtfeld
Babeock	Dinkelspiel	Howe	O'Grady	Stein
Baker	Dowling	Hoysradt	Parkhurst	Stewart
Berry	Eldredge	Keenan	Plant	Stone
Braun	Fairbrother	Keleher	Prescott	Sulzer
Brennan	Fish	Kelsey	Reilly	Ferry, C.W.
Brownell	Foley	Kerr	Robbins	Thompson
Burtis	Friday	Kern	Robertson	Tilton
Bush	Fuller	Kneeland	Robson	Trainor
Cain	Gardiner	La Fetra	Roche	Tuttle
Callahan	Gerst	Lasch	Scanlon	Van Amber
Carroll	Glenn	Lawson	Schoepflin	Vehslage
Cassin	Gould	Lee	Schulz, F.F.	Wells
Clark, F.E.	Gray	Lounsbury	Seibert	Whittet
Clark, J. H.	Herrman	Marrin	Sheffield	Wieman
Conklin	Higbie	Matthews	Sherwood	Wilcox

Coughlin	Hoefler	McNamee	Smith, M.F.	Wray
Cutler	Horton	Melody	Snyder	Wyckoff
Dean	Hotaling	Mittnacht		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 17, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 576, entitled "An act making an appropriation for the support of government." (Int. No. 582.)

ROSWELL P. FLOWER.

Mr. Ainsworth moved that the vote by which said bill was passed be reconsidered.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 2 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	Parkhurst	Snyder
Babcock	Denniston	Houghton	Porter	Stadtfeld
Baker	Dinkelspiel	Howe	Prescott	Stein
Berry	Eldredge	Keck	Rider, J.J.	Stevens
Braun	Fairbrother	Kelsey	Robbins	Stewart
Brownell	Fish	Kern	Robertson	Stone
Burtis	Friday	Kneeland	Robson	Ferry, C.W.
Bush	Fuller	La Fetra	Roche	Terry, J.F.
Butts	Gardiner	Lawson	Scanlon	Tilton
Callahan	Gerst	Lee	Schoepfin	Tuttle
Carroll	Glenn	Lounsbury	Schulz, F.F.	Vacheron
Chambers	Gould	Matthews	Schulz, H	Van Amber
Chapman	Gray	McNamee	Seibert	Wells
Clark, F.E.	Harrigan	Melody	Sheffield	Whittet
Clark, J. H.	Herrman	Messiter	Sherwood	Wilcox
Conklin	Higbie	Mittnacht	Smith, M.F.	Wray

Coughlin
Cutler

Hobbie
Hoefer

Nixon
O'Grady

Smith, S.W. Wyckoff

Those who voted in the negative, were

Sulzer

Trainor

Mr. Ainsworth moved to amend said bill as follows :

Page 2, line 2, strike out the word "one" and insert the word "five," so that said item shall read "for clerks in the office of the clerk of the Court of Appeals for salaries, \$6,500."

Page 13, strike out all of the item under heading "State Printing," down to the words "session laws and official canvass," and insert the following :

"For the Legislative printing for the State, including binding, mapping, lithographing and engraving, \$75,000."

Page 25, line 5, strike out the word "commissioner" and insert the word "commission."

Same page, insert a semicolon after the word "counsel," at end of line 9, and after said word "counsel" insert the words "and the Comptroller shall not audit any bills for counsel."

Same page, line 10, add letter "s" to the word "department."

Same page, line 11, add letter "s" to the word "commission."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pending the question,

Mr. Sulzer moved that the session be extended until said bill was disposed of.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Finnigan moved to amend said bill by inserting the sum of \$28,000 for the maintenance of the shore inspectorship.

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative.

{ AYES 48 }
{ NOES 65 }

Those who voted in the affirmative, were

Brennan
Bush
Butts
Cahill
Cain
Carroll

Davidson
Dinkelspiel
Douglas
Dowling
Finnigan
Foley

Keenan
Keleher
Kerr
Kerrigan
La Fetra
Lasch

Melody
Mitnacht
Myers
O'Donnell
Plant
Reilly

Schulz, F.F.
Southworth
Stadtfeld
Stein
Taylor
Tobin

Cassin	Gleason	Loonan	Robinson	Trainor
Chapman	Harrigan	Marrin	Roche	Vehslage
Corrigan	Herrman	McDermott	Schillinger	Wieman
Coughlin	Hoysradt	McNamee		

Those who voted in the negative, were

Ainsworth	Fairbrother	Houghton	Rider, J.J.	Stewart
Babcock	Fish	Howe	Robbins	Stone
Baker	Friday	Keck	Robson	Terry, C.W.
Braun	Fuller	Kelsey	Scanlon	Terry, J.F.
Brownell	Gardiner	Kern	Schoepflin	Tilton
Burtis	Gerst	Kneeland	Schulz, H	Tuttle
Chambers	Glenn	Lawson	Seibert	Vacheron
Clark, F.E.	Gould	Lee	Sheffield	Van Amber
Conklin	Gray	Messiter	Sherwood	Wells
Cutler	Higbie	O'Grady	Smith, M.F.	Whittet
Dean	Hobbie	Parkhurst	Smith, S.W.	Wilcox
Denniston	Hoefler	Porter	Snyder	Wray
Eldredge	Hotaling	Prescott	Stevens	Speaker

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 2 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Plant	Stein
Babcock	Dowling	Keck	Porter	Stevens
Baker	Fairbrother	Keenan	Prescott	Stewart
Berry	Fish	Keleher	Reilly	Stone
Braun	Foley	Kelsey	Rider, J.J.	Sulzer
Brownell	Friday	Kerr	Robbins	Taylor
Burtis	Fuller	Kern	Robertson	Terry, C.W.
Bush	Gardiner	Kerrigan	Robson	Terry, J.F.
Butts	Gerst	Kneeland	Roche	Thompson
Cahill	Gleason	La Fetra	Scanlon	Tilton
Callahan	Glenn	Lasch	Schillinger	Tobin
Carroll	Gould	Lawson	Schoepflin	Trainor
Cassin	Gray	Lee	Schulz, F.F.	Tuttle
Chambers	Harrigan	Marrin	Schulz, H	Vacheron
Chapman	Hennessy	McDermott	Seibert	Van Amber
Clark, F.E.	Herrman	McNamee	Sheffield	Vehslage
Conklin	Higbie	Melody	Sherwood	Wells
Corrigan	Hobbie	Messiter	Smith, M.F.	Whittet

Cutler	Hoefler	Mittnacht	Smith, S.W.	Wieman
Davidson	Horton	Myers	Snyder	Wilcox
Dean	Hotaling	O'Grady	Southworth	Wray
Denniston	Houghton	Parkhurst	Stadtfeld	Wyckoff

Those who voted in the negative, were

Brennan Cain

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A communication from the Governor, was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 25, 1894.* }

To the Assembly :

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill No. 258, Int. No. 259, entitled "An act to release to Mary Rose Reilly, the only child and heir at law of Thomas Smith, deceased, the interest of the people of the State of New York in the property, either real or personal, of which Thomas Smith and Owen Smith, or either of them, died possessed."

ROSWELL P. FLOWER.

The hour of adjournment having arrived, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

The Senate sent for concurrence the following entitled bill :

"An act to amend the charter of the city of Elmira" (not printed, Rec. No. 472), which was read the first time.

On motion of Mr. Bush, and by unanimous consent, said bill was ordered to a third reading.

Said bill having been announced for a third reading,

On motion of Mr. Bush, and by unanimous consent, said bill was amended as follows :

Page 3, section 2, after the word "line" insert the words "of that portion of Pennsylvania avenue between the railroad of the New York, Lake Erie and Western Railroad Company and Sly street and the center line;" also after the word "street" insert the words "to the Chemung river."

Page 6, section 8, change the word "or" to "and."

Page 16, line 9, strike out the words "expedite and."

Same page, line 10, strike out the words "as shall be."

Page 26, section 45, line 8, change the word "interests" to "interest."

Same section, line 11, strike out the words "of the city of Elmira."

Page 30, next to last line in section 52, strike out the word "or."

Page 56, section 110, line 1, change the word "whereupon" to "where, upon."

Page 58, sixth line from the bottom, change the last word in the line, "or" to "by."

Page 67, sixth line from top of page, change the word "at" to "as."

Page 68, section 154, insert the letters "a," "b" and "c" before each of the three subdivisions of that section respectively.

Same page, same section, in tenth line of subdivision (a) after the word "and" insert the words "said city."

Page 71, line 5, section 161, change the word "term" to "terms;" also, after the word "commissioners" insert the words "and of each and every term thereafter."

Same page, same section, line 7, after the word "of" insert the words "a majority of."

Page 72, section 164, line 2, after the word "select" strike out the words "from among the electors of said city" and insert the words "from time to time."

Same page, same section, line 5, after the word "firemen" insert the words "who shall be electors of said city,"

Page 79, section 176, line 4, change the word "act" to "title."

Page 80, in line 7 from top of page, after the word "The" strike out the words "said commissioners collectively shall constitute the board of police commissioners for the city of Elmira, of which board the."

Same page, line 9 from top of page, after the word "president" insert the words "of the said board."

Page 81, last line, strike out the words "by the vote of four members."

Page 93, section 206, line 9, after the word "filled" insert the words "by a person nominated by the mayor and concurred in."

Page 94, section 209, line 18, strike out the word "said" before the word "donor."

Page 95, section 214, line 5, after the word "compensation" insert the words "if any."

Page 99, section 229, strike out the first word "Hereafter" and commence the word "whenever" with a capital.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Howe	Parkhurst	Stein
Baker	Dowling	Keck	Porter	Stewart
Berry	Eldredge	Keleher	Prescott	Stone
Braun	Fairbrother	Kelsey	Reilly	Sulzer
Brownell	Fish	Kern	Rider, J.J.	Taylor
Burtis	Friday	Kerrigan	Robbins	Terry, C.W.
Bush	Fuller	Kneeland	Robertson	Terry, J.F.
Butts	Gerst	La Fetra	Robson	Thornton
Callahan	Glenn	Lawson	Roche	Tilton
Cassin	Gould	Lee	Scanlon	Trainor
Chambers	Gray	Lounsbury	Schoepflin	Tuttle
Clark, F.E.	Harrigan	Marrin	Schulz, F.F.	Vacheron
Clark, J. H.	Herrman	Matthews	Seibert	Wells
Conklin	Higbie	McKeon	Sheffield	Whittet
Coughlin	Hoefler	Melody	Smith, M.F.	Wilcox
Cutler	Horton	Messiter	Smith, S.W.	Wray
Dean	Hotaling	Myers	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker presented the annual report of the Forest Commission; which was laid upon the table and ordered printed.

(See Document.)

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to prevent the display of foreign flags or emblems on public buildings." (No. 1338, Int. No. 1183.)

"An act to supplement the provisions of section 20, title 2 of chapter 483 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' and acts amendatory thereof, in relation to the board of estimate, by extending the benefit of such acts to certain institutions in the city of Brooklyn." (No. 1329, Int. No. 1173.)

"An act to authorize the common council of the city of Corn-

ing to borrow money and issue the obligation of said city in payment of certain real estate." (No. 1259, Int. No. 1127.)

"An act authorizing the city of Yonkers to issue street improvement bonds." (No. 1730, Int. No. 1475.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the clerk of the board of aldermen." (No. 1308, Int. No. 1151.)

"An act to amend the banking law." (No. 807, Int. No. 123.)

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and consolidate therewith the several acts in relation to the charter of said city,' and the several acts amendatory thereof and supplementary thereto." (No. 1352, Int. No. 1208.)

"An act providing for the submission of the question of consolidation of the city of Mount Vernon with certain territory under a single municipal administration to a vote of the people." (No. 909, Int. No. 837.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as it relates to the interest and taxation on securities issued by the city of Brooklyn." (No. 1142, Int. No. 1007.)

"An act to amend section 2660 of the Code of Civil Procedure." (No. 956, Int. No. 678.)

"An act to amend the Military Code by changing the chapter number thereof." (No. 1087, Int. No. 977.)

"An act relating to the improvement of public parks in the city of Brooklyn and to provide the means of payment therefor." (No. 1090, Int. No. 980.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' so far as it relates to auxiliary sewers." (No. 1092, Int. No. 982.)

"An act to amend chapter 458 of the Laws of 1884, entitled 'An act to provide additional accommodations for the common schools in the city of New York,' as amended and extended by

chapter 494 of the Laws of 1885, chapter 556 of the Laws of 1886, chapter 136 of the Laws of 1888, chapter 252 of the Laws of 1889, chapter 264 of the Laws of 1891, and chapter 282 of the Laws of 1893." (No. 1279, Int. No. 142.)

"An act to provide for the construction of a highway on the Onondaga Indian reservation, and making an appropriation therefor." (No. 1070, Int. No. 960.)

"An act to amend chapter 153 of the Laws of 1889, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in reference to the pension roll of the firemen's insurance fund." (No. 1231, Int. No. 1091.)

"An act to amend the town law, relating to the balloting outside incorporated villages. (No. 802, Int. No. 494.)

"An act authorizing William S. Tuttle to raise and remove certain sunken vessels or boats from near the upper end of Lake George, New York." (No. 894, Int. No. 824.)

"An act to repeal section 2 of chapter 499 of the Laws of 1893, entitled 'An act concerning the canals and experimental work thereon.'" (No. 784, Int. No. 734.)

"An act to amend chapter 157 of the Laws of 1854, entitled 'An act to incorporate the village of Mohawk,' relating to sidewalks." (No. 1330, Int. No. 1174.)

"An act making an additional appropriation for the construction of a swing or hoist bridge over the Erie canal at Emerson street in the city of Rochester." (No. 1464, Int. No. 552.)

"An act to authorize and provide for the erection by the city of New York of a monument in Battery park in honor of the historical event of the evacuation of the city of New York by the British army in 1783, and making an appropriation therefor." (No. 1049, Int. No. 536.)

"An act to amend chapter 643 of the Laws of 1853, entitled 'An act declaring Beaver river a public highway and regulating the passage of logs and timber down the same,' and to provide compensation to riparian owners. (No. 1284, Int. No. 86.)

"An act to establish a pension fund for the paid fire department of the city of Rochester." (No. 1462, Int. No. 1282.)

"An act to amend the charter of the Lyons Union School, in

relation to the election of clerk and trustees." (Not printed, Int. No. 1488.)

"An act to amend the game law, relating to fishing through the ice." (No. 960, Int. No. 374.)

"An act to provide for the printing, binding and distributing of 10,000 copies of the memorial proceedings of the Legislature on the death of Hon. Hamilton Fish, and making an appropriation therefor." (Not printed, Int. No. 1454.)

"An act to authorize the completion of repairs to the State dam across the Mohawk river at Cohoes, and making an appropriation therefor." (No. 1303, Int. No. 1144.)

"An act to amend chapter 517 of the Laws of 1889, entitled 'An act to establish a normal and training school at the village of Plattsburgh, in the county of Clinton, and to make an appropriation therefor,' relating to the board of managers." (No. 1151, Int. No. 1017.)

"An act to further extend and amend chapter 67 of the Laws of 1845, entitled 'An act to incorporate the Wandowenock Fire, Hook and Ladder Company,' passed April 15, 1845." (No. 1367, Int. No. 1203.)

"An act reappropriating an unexpended balance for the State Industrial School at Rochester." (No. 1588, Int. No. 1372.)

"An act in relation to the exemption from taxation of the real property of 'The Pythian Association' of the city of Amsterdam." (No. 1359, Int. No. 1211.)

"An act to authorize the town of Flatlands, Kings county, to sell and convey certain real property therein owned by said town to the First Methodist Protestant church in said town." (No. 1321, Int. No. 1165.)

"An act to amend the Code of Civil Procedure, relative to the stenographers of the Supreme Court, in certain districts." (No. 1419, Int. No. 1168.)

"An act authorizing the construction of a stone wall along the edge of the towing path of the Erie canal, and on the west line of property known as No. 10 Austin street, in the city of Buffalo, and making an appropriation therefor." (No. 1673, Int. No. 1437.)

"An act to amend the Penal Code, in relation to furnishing libelous information." (No. 1335, Int. No. 1180.)

"An act to amend section 2320 of the Code of Civil Procedure,

relative to the jurisdiction of the Supreme Court over the person and property of incompetent persons." (No. 1418, Int. No. 1059.)

"An act to authorize the board of directors of the village of Saugerties to borrow money to pay existing debts." (No. 1392, Int. No. 1240.)

"An act to amend the statutory construction law, in reference to the computation of days." (No. 1310, Int. No. 1153.)

"An act to amend section 65 of title 2, chapter 3, part 4 of the Revised Statutes, relating to State prisons, with respect to assistant clerk to take affidavits." (No. 1633, Int. No. 1394.)

"An act to amend chapter 312 of the Laws of 1884, entitled 'An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York,' relating to removals." (No. 1478, Int. No. 912.)

"An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester.'" (No. 1540, Int. No. 589.)

"An act to authorize the sale of certain lands and premises situated in the city of New York, which were devised by James Ewing Cooley to his executors in trust." (No. 1343, Int. No. 1188.)

"An act ceding to the city of Buffalo, for park purposes, a strip of land on the south side of Scajauquada creek in said city, now a portion of the lands of the Buffalo State hospital." (No. 1323, Int. No. 1167.)

"An act to authorize the Board of Claims to hear, audit and determine claims for military uniforms for the National Guard of the State of New York, and to make an award therefor." (No. 1422, Int. No. 751.)

"An act to amend the Code of Criminal Procedure, relating to witness fees." (No. 1255, Int. No. 1119.)

"An act amending the highway law, relating to the towns in the county of Oneida." (No. 1160, Int. No. 1026.)

"An act to amend the insurance law, relating to town and county co-operative insurance corporations." (No. 1266, Int. No. 822.)

"An act to amend section 56 of title 2 of chapter 3 of part 4 of the Revised Statutes, relating to State prisons, with respect to the clerk of such prisons." (Not printed, Int. No. 1487.)

"An act to authorize the city of Yonkers to borrow money and

issue bonds for the payment of its indebtedness, other than bonded indebtedness, which matured prior to March 1, 1894." (Not printed, Int. No. 1483.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bill :

"An act to amend the railroad law, relating to consents of property owners for building and operation of street surface railroads." (No. 1270, Int. No. 1018.)

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read requesting the return to the Senate of Senate bill No. 129, entitled "An act to amend chapter 431 of the Laws of 1873, entitled 'An act to amend the charter of the West Side German Dispensary in the city of New York'" (Int. No. 133) for the purpose of amendment.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate, of Senate bill No. 618, entitled "An act to amend title 10 of part 6 of the Code of Criminal Procedure, in relation to criminal statistics and to repeal section 1592 of chapter 410 of the Laws of 1882" (Int. No. 575), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1022) entitled "An act relating to the jurisdiction of the Board of Claims" (Rec. No. 394), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dean	Houghton	Nixon	Stadtfeld
Baker	Dinkelspiel	Howe	O'Grady	Stein
Berry	Dowling	Keck	Parkhurst	Stevens
Braun	Fairbrother	Keenan	Plant	Stone
Brennan	Finnigan	Kelsey	Porter	Terry, J.F.
Burtis	Fish	Kern	Prescott	Tilton
Bush	Foley	Kerrigan	Robbins	Trainor
Butts	Fuller	Kneeland	Robertson	Vacheron
Carroll	Gardiner	Lasch	Roche	Van Amber
Cassin	Gerst	Lawson	Ryder, E.L.	Vehslage
Chambers	Gould	Lee	Scanlon	Wells
Chapman	Harrigan	Loonan	Schoepflin	Whittet
Conklin	Hennessy	McDermott	Schulz, H	Wieman
Corrigan	Higbie	Melody	Seibert	Wilcox
Coughlin	Hobbie	Messiter	Sheffield	Wray
Davidson	Hoefer	Mitnacht	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1038) entitled "An act for the relief of John R. Kavanagh" (Rec. No. 403), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Hoysradt	Parkhurst	Stevens
Baker	Fairbrother	Keck	Plant	Stewart
Berry	Fish	Keenan	Prescott	Stone
Brennan	Foley	Keleher	Robbins	Terry, J.F.
Burtis	Friday	Kelsey	Robertson	Thompson
Bush	Fuller	Kern	Robson	Tilton
Burtis	Gardiner	Kerrigan	Roche	Tobin
Cahill	Gerst	Lasch	Ryder, E.L.	Trainor
Carroll	Gleason	Lawson	Scanlon	Tuttle
Cassin	Gould	Lee	Schoepflin	Van Amber
Chambers	Harrigan	Loonan	Schulz, F.F.	Vehslage
Conklin	Herrman	McDermott	Seibert	Wells

Corrigan	Higbie	Melody	Sheffield	Whittet
Davidson	Hoefer	Messiter	Sherwood	Wieman
Dean	Horton	Mittnacht	Smith, S.W.	Wilcox
Denniston	Hotaling	Nixon	Southworth	Wray
Dinkelspiel	Houghton	O'Donnell	Stadtfeld	Wyckoff
Dowling	Howe	O'Grady	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 748) entitled "An act in relation to the Wallabout market lands in the city of Brooklyn" (Rec. No. 373), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	89	}
{	NOES	00	}

Those who voted in the affirmative, were

Babcock	Fairbrother	Hoysradt	Porter	Southworth
Baker	Fish	Keck	Prescott	Stadtfeld
Berry	Foley	Keleher	Rider, J.J.	Stevens
Braun	Friday	Kelsey	Robbins	Stewart
Brennan	Fuller	Kern	Robertson	Stone
Burtis	Gardiner	Kerrigan	Robson	Sulzer
Butts	Gerst	La Fetra	Roche	Terry, J.F.
Cain	Gleason	Lasch	Scanlon	Tilton
Cassin	Gould	Lawson	Schillinger	Trainor
Chambers	Harrigan	Lee	Schoepflin	Tuttle
Clark, F.E.	Hennessy	Loonan	Schulz, F.F.	Van Amber
Clark, J. H.	Herrman	Matthews	Schulz, H	Vehslage
Conklin	Higbie	Melody	Seibert	Wells
Coughlin	Hobbie	Messiter	Sheffield	Whittet
Cutler	Hoefer	Myers	Sherwood	Wilcox
Dean	Horton	Nixon	Smith, M. F.	Wray
Dinkelspiel	Hotaling	O'Grady	Smith, S.W.	Wyckoff
Eldredge	Howe	Parkhurst	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Kneeland in the chair.

The Senate bill (No. 580) entitled "An act to amend chapter

29 of the Laws of 1886, entitled 'An act to amend chapter 410 of the Laws of 1884, entitled An act to amend chapter 354 of the Laws of 1883, entitled An act to regulate and improve the civil service of the State of New York'" (Rec. No. 392), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keck	Reilly	Stevens
Baker	Fairbrother	Keenan	Rider, J.J.	Stewart
Berry	Finnigan	Kelsey	Robbins	Stone
Braun	Foley	Kern	Robertson	Sulzer
Brennan	Friday	Kerrigan	Robson	Terry, C.W.
Burtis	Fuller	Kneeland	Ryder, E.L.	Terry, J.F.
Bush	Gardiner	Lasch	Scanlon	Thompson
Cain	Gerst	Lawson	Schillinger	Tilton
Callahan	Gleason	Lee	Schoepflin	Tobin
Carroll	Glenn	Matthews	Schulz, H	Trainor
Chambers	Gould	McKeon	Seibert	Tuttle
Chapman	Harrigan	McNamee	Sheffield	Van Amber
Clark, J. H.	Herrman	Melody	Sherwood	Vehslage
Conklin	Higbie	Messiter	Smith, M.F.	Wells
Coughlin	Hoefer	Myers	Smith, S.W.	Whittet
Cutler	Horton	Nixon	Snyder	Wilcox
Dean	Hotaling	O'Grady	Southworth	Wray
Dinkelspiel	Houghton	Porter	Stadtfeld	Wyckoff
Dowling	Howe	Prescott	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1049) entitled "An act in relation to excise moneys collected in the village of Williamsville" (Rec. No. 420), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Dowling	Keck	Plant	Stadtfeld
Baker	Eldredge	Keleher	Porter	Stevens
Berry	Fairbrother	Kelsey	Prescott	Stewart
Braun	Fish	Kerr	Rider, J.J.	Stone
Brennan	Foley	Kern	Robbins	Taylor
Burtis	Friday	Kerrigan	Robertson	Terry, J.F.
Bush	Fuller	Kneeland	Robson	Thompson
Butts	Gardiner	Lawson	Roche	Tilton
Callahan	Gerst	Lee	Scanlon	Tobin
Carroll	Gleason	Loonan	Schillinger	Trainor
Chambers	Gould	Marrin	Schulz, F.F.	Tuttle
Chapman	Gray	McDermott	Seibert	Vacheron
Clark, F.E.	Herrman	McKeon	Sheffield	Van Amber
Conklin	Higbie	Melody	Sherwood	Vehslage
Coughlin	Hoefler	Messiter	Smith, M.F.	Whittet
Cutler	Horton	Myers	Smith, S.W.	Wieman
Dean	Hotaling	Nixon	Snyder	Wray
Denniston	Houghton	O'Grady	Southworth	Wyckoff
Dinkelspiel	Howe	Parkhurst		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 982) entitled "An act to amend sections 899 and 911 of the Code of Criminal Procedure, relative to disorderly persons" (Rec. No. 430), having been announced for a third reading,

On motion of Mr. Dowling, said bill was amended as follows:

Strike out section 1 and change the remaining sections to 1 and 2.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Plant	Stadtfeld
Babcock	Dinkelspiel	Kelsey	Porter	Stein
Baker	Dowling	Kerr	Prescott	Stevens

Berry	Eldredge	Kern	Rider, J.J.	Stewart
Braun	Fairbrother	Kneeland	Robbins	Stone
Brennan	Finnigan	Lawson	Robertson	Sulzer
Brownell	Foley	Lee	Robson	Taylor
Burtis	Friday	Lounsbury	Roche	Terry, C.W.
Bush	Fuller	Loonan	Ryder, E.L.	Terry, J.F.
Butts	Gardiner	Marrin	Scanlon	Thompson
Cain	Gerst	Matthews	Schoepflin	Tilton
Callahan	Gleason	McDermott	Schulz, F.F.	Trainor
Carroll	Gould	McKeon	Schulz, H	Tuttle
Cassin	Harrigan	Melody	Seibert	Vacheron
Chambers	Herrman	Messiter	Sheffield	Van Amber
Clark, F.E.	Higbie	Myers	Sherwood	Wells
Clark, J. H.	Hoefler	Nixon	Smith, M.F.	Whittet
Conklin	Horton	O'Donnell	Smith, S.W.	Wilcox
Coughlin	Hotaling	O'Grady	Snyder	Wray
Cutler	Houghton	Parkhurst	Southworth	Wyckoff
Dean	Howe			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 923) entitled "An act to authorize the Buffalo library to take and hold property for special purposes" (Rec. No. 443), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hotaling	O'Grady	Stadtfeld
Babcock	Dean	Houghton	Parkhurst	Stein
Baker	Dinkelspiel	Howe	Plant	Stevens
Berry	Douglas	Keck	Prescott	Stewart
Braun	Dowling	Keleher	Rider, J.J.	Stone
Brownell	Eldredge	Kelsey	Robertson	Taylor
Burtis	Fairbrother	Kerr	Robinson	Terry, C.W.
Bush	Fish	Kern	Roche	Terry, J.F.
Butts	Foley	Kneeland	Ryder, E.L.	Tilton
Cain	Friday	La Fetra	Scanlon	Tobin
Callahan	Fuller	Lawson	Schillinger	Trainor
Carroll	Gardiner	Lee	Schulz, F.F.	Tuttle
Cassin	Gerst	Loonan	Schulz, H	Vacheron

Chambers	Gleason	Marrin	Seibert	Van Amber
Chapman	Glenn	McDermott	Sheffield	Wells
Clark, F.E.	Gould	McKeon	Sherwood	Whittett
Clark, J. H.	Herrman	Melody	Smith, M.F.	Wilcox
Conklin	Higbie	Messiter	Smith, S.W.	Wray
Corrigan	Hoefer	Mittnacht	Snyder	Wyckoff
Cutler	Horton	Nixon	Southworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to release from assessments heretofore made on certain real estate of the Missionary Society of the Most Holy Redeemer in the city of New York" (Rec. No. 450), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Porter	Stein
Babcock	Dinkelspiel	Keck	Prescott	Stevens
Baker	Dowling	Keenan	Reilly	Stewart
Berry	Eldredge	Kelsey	Rider, J.J.	Stone
Braun	Fairbrother	Kern	Robbins	Sulzer
Brennan	Fish	Kneeland	Robertson	Taylor
Brownell	Foley	Lasch	Robson	Terry, G.W.
Burtis	Friday	Lawson	Roche	Terry, J.F.
Bush	Fuller	Lee	Ryder, E.L.	Thornton
Butts	Gardiner	Lounsbury	Scanlon	Tilton
Cain	Gerst	Marrin	Schillinger	Tobin
Callahan	Glenn	Matthews	Schoepflin	Trainor
Carroll	Gould	McDermott	Schulz, F.F.	Tuttle
Chambers	Harrigan	McKeon	Schulz, H.	Vacheron
Chapman	Herrman	McNamee	Seibert	Van Amber
Clark, F.E.	Higbie	Melody	Sherwood	Wells
Conklin	Hobbie	Messiter	Smith, M.F.	Whittett
Coughlin	Hoefer	Mittnacht	Smith, S.W.	Wilcox
Cutler	Horton	Nixon	Snyder	Wray
Davidson	Hotaling	O'Grady	Stattfeld	Wyckoff
Dean	Houghton	Parkhurst		

Ordered, That the Clerk return said bill to the Senate, with a

message that the Assembly have concurred in the passage of the same.

The bill (No. 1627) entitled "An act to amend chapter 305 of the Laws of 1891, entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Bath-on-the-Hudson, and to revise and amend the charter of said village, and to repeal certain acts and parts of acts'" (Int. No. 1388), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 103 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	O'Grady	Stadtfeld
Babcock	Dowling	Keenan	Parkhurst	Stein
Baker	Eldredge	Kelsey	Porter	Stevens
Berry	Fairbrother	Kerr	Prescott	Stewart
Braun	Fish	Kern	Rider, J.J.	Stone
Brennan	Foley	Kerrigan	Robbins	Sulzer
Brownell	Friday	Kneeland	Robertson	Taylor
Butts	Fuller	La Fetra	Robson	Terry, C W.
Cahill	Gardiner	Lasch	Roche	Terry, J.F.
Cain	Gerst	Lawson	Ryder, E.L.	Tilton
Callahan	Gleason	Lee	Scanlon	Trainor
Cassin	Glenn	Loonan	Schillinger	Tuttle
Chambers	Gray	Marrin	Schulz, F.F.	Vacheron
Clark, F.E.	Harrigan	Matthews	Schulz, H	Van Amber
Clark, J. H.	Herrman	McDermott	Seibert	Vehslage
Conklin	Higbie	McKeon	Sheffield	Wells
Coughlin	Hoefler	Melody	Sherwood	Whittet
Cutler	Horton	Messiter	Smith, M.F.	Wieman
Davidson	Hotaling	Mitnacht	Smith, S.W.	Wray
Dean	Houghton	Myers	Southworth	Wyckoff
Denniston	Howe	Nixon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1714) entitled "An act to amend chapter 401 of the Laws of 1892, entitled 'An act to revise and consolidate the laws regulating the sale of intoxicating liquors'" (Int. No. 844), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hotaling	Nixon	Stadtfeld
Babcock	Dean	Houghton	O'Grady	Stein
Baker	Denniston	Howe	Parkhurst	Stevens
Berry	Dinkelspiel	Hoysradt	Porter	Stewart
Braun	Dowling	Keck	Prescott	Stone
Brennan	Eldredge	Kelsey	Rider, J.J.	Sulzer
Brownell	Fairbrother	Kerr	Robbins	Taylor
Burtis	Fish	Kern	Robertson	Ferry, C.W.
Bush	Foley	Kneeland	Robson	Terry, J.F.
Butts	Friday	La Fetra	Ryder, E.L.	Thompson
Cain	Fuller	Lawson	Scanlon	Tilton
Callahan	Gardiner	Lee	Schillinger	Tuttle
Carroll	Gerst	Loonan	Schulz, F.F.	Vacheron
Cassin	Gleason	Marrin	Schulz, H	Van Amber
Chambers	Glenn	Matthews	Seibert	Vehslage
Chapman	Gould	McDermott	Sheffield	Wells
Clark, F.E.	Harrigan	McNamee	Sherwood	Whittet
Clark, J. H.	Herrman	Melody	Smith, M.F.	Wilcox
Conklin	Higbie	Messiter	Smith, S.W.	Wray
Corrigan	Hobbie	Mittnacht	Snyder	Wyckoff
Cutler	Horton	Myers	Southworth	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication from the Governor, by the hands of his private secretary, was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
 ALBANY, April 25, 1894. }

To the Assembly :

The several items enumerated, contained in Assembly bill No. 1468, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," are objected to and not approved, for the reasons hereinafter stated.

"For services and expenses of counsel, Owen Cassidy, employed in the matter of the investigation of the New State Board of Health, the sum of \$3,000, or so much thereof as may be certified by the chairman of the Senate investigating committee

of the special committee appointed by the President *pro tem.* of the Senate, to be sufficient compensation for the services and expenses of said counsel."

This investigation was requested by the State Board of Health, and a reasonable sum ought to be allowed for the proper services and expenses of the counsel employed by the legislative investigating committee. But considering the short time required for the investigation and the comparatively small amount of professional labor connected therewith, I think the appropriation of \$3,000 is unreasonable and excessive.

"For completing volume 8, part 2 of the paleontology of the State of New York, for lithographing, \$200, and the Comptroller is hereby authorized to pay out of the appropriation made for the services and expenses of the State Geologist for the next fiscal year for completing the printing of 3,000 copies and for binding 1,000 copies, \$4,627, or so much thereof as may be necessary, provided that the bills for such printing shall be paid only if the receipts therefor are accompanied by a legal document satisfactory to the Comptroller, releasing both the State and the Regents of the University from all claims in connection with all contracts for printing the paleontology which are now held by the parties to whom the pay for completing volume 8 is made."

After this item of appropriation passed each branch of the Legislature, and while the bill was pending in conference committee, there was inserted a provision making the appropriation payable out of the annual appropriation for the services and expenses of the State Geologist for the next fiscal year. This qualification can have no other purpose except to embarrass the State Geologist. With equal propriety could the Legislature provide that the expenses of the Legislature should be taken out of the salaries of Assemblymen and Senators. Such a qualification is wrong in principle, and requires the disapproval of the appropriation.

ROSWELL P. FLOWER.

Mr. Sulzer moved that said message be laid upon the table and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1699) entitled "An act to incorporate the city of Little Falls" (Int. No. 295), having been announced for a third reading,

Mr. Prescott moved to amend said bill as follows:

Page 5, line 23, after the word "company" insert the words "within said city."

Page 9, line 2, after the word "chosen" insert the words "by reason of two or more candidates having received an equal number of votes for the same office."

Same page, line 12, after the word "for" insert the words "by law."

Same page, line 14, after the word "by" insert the words "appointment by."

Page 10, line 14, strike out the words "one year" at the end of the line and insert the words "two years."

Page 14, line 20, strike out the word "regulate" and insert the words "provide for."

Page 25, line 22, after the word "city" insert the words "whl are freeholders therein, or whose names appear on the last annuao city assessment roll."

Same page, line 24, change the word "such" to "a" and strike out "a" before the word "certain" and insert the word "such;" also, add the letter "s" to the word "sum."

Page 39, line 24, strike out the words "the passage of this act" and insert the words "this act takes effect."

Page 40, strike out the word "their" in the last line (not numbered), and insert the word "its."

Page 48, line 6, strike the letter "s" from the word "assessments."

Page 56, line 13, after the word "been" insert the words "or which shall be."

Page 106, line 15, after the word "respectfully" insert the words "less any sum which shall have been assessed against them for any benefits on account of such improvements."

Page 107, line 8, change the word "from" to "for."

Page 108, line 5, change the word "such" to "each."

Page 109, line 21, strike out the word "four" and insert the words "a majority of the."

Page 110, line 24, strike out the words "so far as then practicable" and insert the words "and giving the names of all persons present at the time so far as the same are known, and also the nature and extent of the injury."

Same page, lines 25 and 26, strike out the words "if practicable, or otherwise if not," and insert the words "if possible."

Page 111, line 3, change the word "three" to "two."

Same page, line 4, after the word "thereof" insert the words "and no such action shall be commenced after the expiration of one year from such injury."

Same page, lines 8 and 9, strike out the words "or the common council."

Page 116, line 8, after word "justice" insert the words "or recorder."

Page 116, strike out all beginning with the word "which" in line 14, down to and including the word "actions" in line 20.

Same page, line 21, add letter "s" to the word "forfeiture."

Page 118, line 10, change the word "approbious" to "opprobrious."

Page 119, line 10, after the word "or" insert the words "shall take away."

Page 121, line 23, after the word "act" insert the words "except as herein otherwise specially provided."

Page 123, line 13, after the word "cease" insert the words "except collector, and also."

Same page, line 23, strike out the words "the mayor or common council" and insert the words "any board or officer."

Page 127, line 3, after line 2 insert the following:

"§ 276. This act shall not affect any taxes levied or assessment made prior to its taking effect, or the collection thereof, and prior to January 1, 1895; and to provide for the wants of said city, the common council may cause any assessment, valuation or tax authorized hereby to be made or levied, or any portion thereof to be made or levied, as it shall, by a majority vote of all its members, determine, and it shall have power, prior to said date, to alter, modify or suspend any provision herein contained relating to the matter of making the assessment for and levying and collection of the school or any other tax, excepting the actual collection of the State and county taxes, such alteration, modification or suspension, however, to have no permanent effect, and to be limited in its operation to matters arising prior to January 1, 1895. All the powers and duties of the present village collector are hereby continued, the same as if this act had not been passed, as to all taxes, tax warrants or assessment rolls made by the village of Little Falls or any of its officers, or as to any other tax, tax warrant or assessment-roll which the common council of said city shall direct him to collect. The city treasurer of said city may from time to time renew and extend any such tax warrant to a time not later than January 1, 1895, and said collector is hereby directed to pay over all moneys in his hands, after a city treasurer shall have been elected, to such city treasurer, and to return all tax warrants to such treasurer. Nothing in this act contained shall impair the right of or prevent the board of trustees of said village from making any assessment-roll or assessing or levying any tax or issuing any warrant for the collection thereof at any time prior to the first election under this act. All uncollected village taxes of the village of Little Falls shall be reassessed and collected, by the proper city officers, in the same manner as uncollected city taxes.

"§ 277. All excise licenses granted by the board of excise of either of the towns of Little Falls, Manheim or Danube shall continue in full force and effect until they expire by the terms thereof, but such licenses within said city shall be subject to control and revocation by the excise board thereof under and according to provisions of the general excise law."

Page 127, line 3, change the figures "276" to "278."

Same page, line 6, change the figures "277" to "279."

Same page, line 9, change the figures "278" to "280."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer moved to recommit said bill to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Strike out all of section 267 and insert the following:

“§ 267. An election for all elective officers under this act shall be held in said city and the wards thereof on the second Tuesday of February, 1895. The trustees of the village of Little Falls, for the time being, shall appoint the time and places for holding such first election, and shall appoint three inspectors of election in each ward who shall hold the same; and they shall also give public notice of the time and places of holding such first election, and of the officers to be chosen thereat, immediately after the passage of this act, by publishing the same in at least two of the public newspapers printed in said village, and by posting written or printed notices thereof in at least two public places in each ward hereby designated and defined, at least six days before the time specified in such notice for such election; and make all other due and needful provisions for the holding of such election, which shall conform as nearly as may be to the general statutes of the State regulating elections. Such election and the appointment of inspectors therefore shall be regulated by the general statutes of the State with reference to elections, as far as practicable, except as herein otherwise provided. The polls of such election shall be opened at 8 o'clock in the morning, and remain so open until 5 o'clock in the afternoon of said election day, and the inspectors shall, forthwith, without adjourning, canvass the votes received by them, and certify and declare the result, stating the number of votes given for each officer, and file such statement or certificate immediately with the clerk of said village.”

Strike out section 278 and insert the following:

“§ 278. None of the provisions of the foregoing sections of this act shall be of force and effect unless a majority of electors of the village of Little Falls shall have first approved the same at an election or meeting to be held for such purpose, on the 1st Tuesday of October, 1894, between the hours of 9 o'clock in the forenoon and 5 o'clock in the afternoon of that day, at a place to be fixed by the trustees, within said village; and for the purpose of enabling the electors to vote on the proposition, the trustees shall make all necessary provisions for holding of such election or meeting, as provided by the village charter for the holding of special elections; and they shall cause a suitable number of printed ballots to be prepared for such election, one set of which shall contain the words, respectively, “For the proposed city charter,” which shall be indorsed “For a city charter;” and the other set shall contain the words, respectively, “Against the proposed city charter,” which shall be indorsed “Against a city charter.”

“§ 279. This act shall take effect immediately.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 43 }
{ NOES 64 }

Those who voted in the affirmative, were

Berry	Corrigan	Herrman	McDermott	Schillinger
Brennan	Coughlin	Hoysradt	McKeon	Southworth
Bush	Davidson	Keenan	McNamee	Stadtfeld
Butts	Douglas	Keleher	Melody	Stein
Callahan	Dowling	Kerrigan	Mittnacht	Sulzer
Carroll	Finnigan	La Fetra	Plant	Taylor
Cassin	Foley	Lasch	Reilly	Trainor
Chapman	Gleason	Loonan	Roche	Vehslage
Clark, F. E.	Hennessy	Marrin		

Those who voted in the negative, were

Ainsworth	Fish	Keck	Robertson	Stone
Babcock	Friday	Kelsey	Robson	Terry, G.W.
Baker	Fuller	Kern	Ryder, E.L.	Terry, J.F.
Braun	Gardiner	Kneeland	Scanlon	Tilton
Brownell	Gerst	Lawson	Schoepflin	Tuttle
Chambers	Glenn	Matthews	Schulz, F.F.	Vacheron
Clark, J. H.	Gould	Messiter	Schulz, H.	Van Amber
Conklin	Hobbie	Nixon	Seibert	Wells
Cutler	Hoefler	O'Grady	Sherwood	Whittet
Dean	Horton	Porter	Smith, M.F.	Wilcox
Denniston	Hotaling	Prescott	Smith, S.W.	Wray
Eldredge	Houghton	Rider, J.J.	Snyder	Wyckoff
Fairbrother	Howe	Robbins	Stewart	

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 28 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kneeland	Robertson	Taylor
Babcock	Fuller	Lawson	Robson	Terry, C.W.
Baker	Gardiner	Lee	Roche	Terry, J.F.
Braun	Gerst	Matthews	Ryder, E.L.	Thompson
Brownell	Glenn	McDermott	Scanlon	Tilton
Burtis	Gould	McKeon	Schoepflin	Tuttle

Chambers	Hobbie	Melody	Schulz, F.F.	Vacheron
Clark, F.E.	Hoefler	Messiter	Schulz, H	Van Amber
Clark, J. H.	Horton	O'Grady	Sheffield	Wells
Conklin	Hotaling	Parkhurst	Sherwood	Whittet
Cutler	Houghton	Porter	Smith, M.F.	Wieman
Dean	Howe	Prescott	Smith, S.W.	Wilcox
Denniston	Keck	Reilly	Snyder	Wray
Eldredge	Kelsey	Rider, J.J.	Stewart	Wyckoff
Fairbrother	Kern	Robbins	Stone	Speaker
Fish				

Those who voted in the negative, were

Bush	Coughlin	Hennessy	Lasch	Schillinger
Butts	Davidson	Herrman	Loonan	Stein
Callahan	Dinkelspiel	Hoysradt	McNamee	Sulzer
Carroll	Dowling	Keleher	Mittnacht	Tobin
Cassin	Foley	Kerrigan	Myers	Trainor
Corrigan	Gleason	La Fetra		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1700) entitled "An act to amend the Code of Civil Procedure, relating to production of book account or papers" (Int. No. 1257), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	91
{ NOES	1

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Howe	Prescott	Stewart
Baker	Douglas	Keck	Reilly	Stone
Berry	Dowling	Keleher	Rider, J.J.	Sulzer
Braun	Eldredge	Kelsey	Robbins	Taylor
Brennan	Fairbrother	Kern	Robertson	Terry, C.W.
Brownell	Friday	Kerrigan	Robson	Terry, J.F.
Burtis	Fuller	Kneeland	Roche	Thompson
Bush	Gardiner	Lasch	Scanlon	Tilton
Butts	Gerst	Lawson	Schoepflin	Tobin
Carroll	Gleason	Lee	Schulz, F.F.	Trainor
Cassin	Glenn	Matthews	Schulz, H	Tuttle
Chambers	Gould	Melody	Seibert	Vacheron
Chapman	Herrman	Messiter	Sheffield	Van Amber
Clark, F.E.	Hobbie	Mittnacht	Sherwood	Whittet

Clark, J. H.	Hoefler	O'Grady	Smith, M.F.	Wieman
Conklin	Horton	Parkhurst	Smith, S.W.	Wilcox
Cutler	Hotaling	Plant	Snyder	Wray
Davidson	Houghton	Porter	Stein	Wyckoff
Dean				

In the negative,
Schillinger

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1006) entitled "An act in relation to canal boat mortgages" (Rec. No. 482), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 95 }
} NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Houghton	Porter	Stein
Baker	Dinkelspiel	Howe	Prescott	Stewart
Berry	Douglas	Keck	Reilly	Stone
Braun	Dowling	Keleher	Rider, J.J.	Sulzer
Brennan	Eldredge	Kelsey	Robbins	Taylor
Brownell	Fairbrother	Kern	Robertson	Terry, C W.
Burtis	Fish	Kneeland	Robson	Terry, J.F.
Butts	Friday	La Fetra	Roche	Thompson
Carroll	Fuller	Lasch	Ryder, E.L.	Tilton
Cassin	Gardiner	Lawson	Scanlon	Tobin
Chambers	Gerst	Lee	Schoepflin	Trainor
Chapman	Gleason	Matthews	Schulz, F.F.	Tuttle
Clark, F.E.	Glenn	McKeon	Schulz, H	Vacheron
Clark, J. H.	Gould	Melody	Seibert	Vehslage
Conklin	Herrman	Messiter	Sheffield	Wells
Corrigan	Hobbie	Mittnacht	Sherwood	Whittet
Cutler	Hoefler	O'Grady	Smith, M.F.	Wieman
Davidson	Horton	Parkhurst	Smith, S.W.	Wilcox
Dean	Hotaling	Plant	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1688) entitled "An act to establish the State Farm Homeopathic Hospital for the Insane" (Int. No. 921), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Howe	Prescott	Stein
Baker	Dinkelspiel	Keck	Reilly	Stone
Berry	Douglas	Keleher	Rider, J.J.	Sulzer
Braun	Dowling	Kelsey	Robbins	Taylor
Brennan	Eldredge	Kern	Robertson	Terry, C.W.
Brownell	Fairbrother	Kneeland	Robson	Terry, J.F.
Bush	Fish	Lasch	Roche	Thompson
Callahan	Friday	Lawson	Ryder, E.L.	Tilton
Carroll	Fuller	Lee	Scanlon	Tobin
Cassin	Gerst	Loonan	Schoepflin	Trainor
Chambers	Gleason	Matthews	Schulz, F.F.	Tuttle
Chapman	Glenn	McKeon	Schulz, H	Vacheron
Clark, F.E.	Gould	Melody	Seibert	Wells
Clark, J. H.	Herrman	Messiter	Sherwood	Whittet
Conklin	Hobbie	Mittnacht	Smith, M.F.	Wieman
Coughlin	Hoefer	O'Grady	Smith, S.W.	Wilcox
Cutler	Horton	Parkhurst	Snyder	Wray
Davidson	Hotaling	Plant	Southworth	Wyckoff
Dean	Houghton	Porter		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1646) entitled "An act to enable the city of Albany to procure additional land for park purposes" (Int. No. 1410), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Keck	Porter	Snyder
Baker	Dinkelspiel	Keenan	Prescott	Stein
Berry	Dowling	Keleher	Reilly	Stone
Braun	Eldredge	Kelsey	Rider, J.J.	Sulzer

Brennan	Fairbrother	Kern	Robbins	Taylor
Brownell	Fish	Kneeland	Robertson	Terry, C.W.
Burtis	Foley	Lasch	Robson	Terry, J.F.
Butts	Fuller	Lawson	Roche	Thompson
Callahan	Gardiner	Lee	Ryder, E.L.	Tilton
Carroll	Gerst	Matthews	Scanlon	Tobin
Cassin	Gleason	McDermott	Schoepflin	Trainor
Chambers	Glenn	McKeon	Schulz, F.F.	Tuttle
Clark, F.E.	Gould	Melody	Schulz, H	Vacheron
Clark, J. H.	Hobbie	Messiter	Seibert	Vehslage
Conklin	Hoefler	Mitnacht	Sheffield	Wells
Corrigan	Horton	O'Grady	Sherwood	Whittet
Cutler	Hotaling	Parkhurst	Smith, M.F.	Wieman
Davidson	Houghton	Plant	Smith, S.W.	Wyckoff
Dean	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1688) entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof" (Int. No. 1444), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Houghton	Plant	Southworth
Baker	Douglas	Howe	Porter	Stein
Berry	Dowling	Keck	Prescott	Stone
Braun	Eldredge	Keenan	Reilly	Sulzer
Brennan	Fairbrother	Keleher	Rider, J.J.	Taylor
Brownell	Fish	Kelsey	Robbins	Terry, C.W.
Burtis	Foley	Kern	Robertson	Terry, J.F.
Butts	Friday	Kneeland	Robson	Thompson
Callahan	Fuller	La Fetra	Roche	Tilton
Carroll	Gardiner	Lasch	Ryder, E.L.	Tobin
Cassin	Gerst	Lawson	Scanlon	Trainor
Chambers	Gleason	Lee	Schoepflin	Tuttle
Clark, F.E.	Glenn	Matthews	Schulz, F.F.	Vacheron
Clark, J. H.	Gould	McDermott	Schulz, H	Vehslage
Conklin	Gray	McKeon	Seibert	Whittet

Corrigan	Herrman	Melody	Sheffield	Wieman
Cutler	Hobbie	Messiter	Sherwood	Wilcox
Davidson	Hoefler	Mittnacht	Smith, M.F.	Wray
Dean	Horton	O'Grady	Smith, S.W.	Wyckoff
Denniston	Hotaling	Parkhurst	Snyder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1654) entitled "An act to amend chapter 217 of the Laws of 1879, entitled 'An act in relation to oil wells'" (Int. No. 1418), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 92 }
 } NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Howe	Porter	Stein
Baker	Dinkelspiel	Keck	Reilly	Stone
Berry	Douglas	Keenan	Rider, J.J.	Sulzer
Braun	Dowling	Keleher	Robbins	Taylor
Brennan	Eldredge	Kelsey	Robertson	Terry, C.W.
Brownell	Fairbrother	Kern	Robson	Terry, J.F.
Burtis	Fish	Kneeland	Roche	Thompson
Butts	Friday	Lasch	Ryder, E.L.	Tilton
Callahan	Fuller	Lawson	Scanlon	Tobin
Carroll	Gardiner	Lee	Schoepflin	Trainor
Cassin	Gerst	Matthews	Schulz, F.F.	Tuttle
Chambers	Gleason	McKeon	Schulz, H	Vacheron
Clark, F.E.	Glenn	McNamee	Seibert	Wells
Clark, J. H.	Gould	Messiter	Sherwood	Whittet
Conklin	Hobbie	Mittnacht	Smith, M.F.	Wieman
Corrigan	Hoefler	O'Grady	Smith, S.W.	Wilcox
Cutler	Horton	Parkhurst	Snyder	Wray
Davidson	Hotaling	Plant	Southworth	Wyckoff
Dean	Houghton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1620) entitled "An act to amend chapter 535 of the Laws of 1880, entitled 'An act to incorporate the city of Middletown'" (Int. No. 1380), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Hotaling	Parkhurst	Stein
Babcock	Davidson	Houghton	Porter	Stevens
Baker	Dean	Howe	Prescott	Stone
Berry	Dinkelspiel	Keck	Reilly	Sulzer
Braun	Douglas	Keenan	Rider, J.J.	Taylor
Brennan	Eldredge	Keleher	Robbins	Terry, C.W.
Brownell	Fairbrother	Kelsey	Robertson	Terry, J.F.
Burtis	Fish	Kern	Robson	Thompson
Bush	Foley	Kerrigan	Roche	Tilton
Butts	Fuller	Kneeland	Ryder, E.L.	Tobin
Callahan	Gardiner	Lasch	Scanlon	Trainor
Carroll	Gerst	Lawson	Schoepflin	Tuttle
Cassin	Gleason	Lee	Schulz, F.F.	Vacheron
Chambers	Glenn	Matthews	Schulz, H.	Vehslage
Chapman	Gould	McKeon	Sherwood	Whittet
Clark, F.E.	Herrman	McNamee	Smith, M.F.	Wieman
Clark, J. H.	Hobbie	Messiter	Smith, S.W.	Wilcox
Conklin	Hoefler	Mitnacht	Snyder	Wray
Corrigan	Horton	O'Grady	Southworth	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 848) entitled "An act to amend chapter 277 of the Laws of 1889, entitled 'An act to amend chapter 420 of the Laws of 1880, entitled An act to amend chapter 123 of the Laws of 1874, entitled An act to amend the charter of the Hudson Suspension Bridge and New England Railway Company'" (Rec. No. 474), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Keck	Porter	Stein
Baker	Eldredge	Keenan	Prescott	Stewart
Berry	Fairbrother	Keleher	Reilly	Stone

Brennan	Fish	Kelsey	Rider, J.J.	Sulzer
Brownell	Foley	Kerr	Robbins	Taylor
Burtis	Friday	Kern	Robertson	Terry, C.W.
Bush	Fuller	Kneeland	Robson	Terry, J.F.
Butts	Gardiner	Lasch	Roche	Thompson
Callahan	Gerst	Lawson	Ryder, E.L.	Tilton
Carroll	Gleason	Lee	Scanlon	Tobin
Cassin	Glenn	Loonan	Schoepflin	Trainor
Chambers	Gould	Matthews	Schulz, F.F.	Tuttle
Clark, F.E.	Herrman	McDermott	Schulz, H	Vacheron
Clark, J. H.	Hobbie	Melody	Sherwood	Vehslage
Conklin	Hoefler	Messiter	Smith, M.F.	Whittet
Corrigan	Horton	Mittnacht	Smith, S.W.	Wieman
Cutler	Hotaling	O'Grady	Snyder	Wilcox
Dean	Houghton	Parkhurst	Southworth	Wyckoff
Denniston	Howe	Plant		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 850) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to district courts" (Int. No. 785), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Davidson	Horton	Mittnacht	Snyder
Baker	Dean	Hotaling	O'Grady	Southworth
Berry	Denniston	Houghton	Parkhurst	Stein
Braun	Dinkelspiel	Howe	Porter	Stone
Brennan	Douglas	Keck	Prescott	Sulzer
Brownell	Dowling	Keenan	Reilly	Taylor
Burtis	Eldredge	Keleher	Rider, J.J.	Terry, C.W.
Bush	Fairbrother	Kelsey	Robbins	Terry, J.F.
Butts	Fish	Kerr	Robertson	Thompson
Callahan	Foley	Kern	Robson	Tilton
Carroll	Fuller	Kneeland	Roche	Tobin
Cassin	Gardiner	Lasch	Ryder, E.L.	Trainor

Chambers	Gerst	Lawson	Scanlon	Tuttle
Chapman	Gleason	Lee	Schoepflin	Vacheron
Clark, F.E.	Glenn	Loonan	Schulz, F.F.	Vehslage
Clark, J. H.	Gould	Matthews	Schulz, H	Wells
Conklin	Herrman	McDermott	Sherwood	Whittet
Corrigan	Hobbie	Melody	Smith, M.F.	Wilcox
Cutler	Hoefler	Messiter	Smith, S.W.	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1656) entitled "An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures'" (Int. No. 1420), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Keenan	Plant	Stein
Babcock	Dinkelspiel	Keleher	Porter	Stewart
Baker	Douglas	Kelsey	Prescott	Stone
Berry	Eldredge	Kerr	Reilly	Sulzer
Braun	Fairbrother	Kern	Rider, J.J.	Taylor
Brennan	Fish	Kneeland	Robbins	Terry, C.W.
Brownell	Foley	Lasch	Robertson	Terry, J.F.
Burtis	Fuller	Lawson	Robson	Thompson
Bush	Gerst	Lee	Roche	Thornton
Butts	Gleason	Loonan	Ryder, E.L.	Tilton
Carroll	Glenn	Matthews	Scanlon	Tobin
Cassin	Gould	McDermott	Schoepflin	Trainor
Chambers	Herrman	McNamee	Schulz, F.F.	Tuttle
Chapman	Hobbie	Melody	Schulz, H	Vacheron
Clark, F.E.	Hoefler	Messiter	Sherwood	Vehslage
Clark, J. H.	Horton	Mitnacht	Smith, M.F.	Wells
Conklin	Hotaling	O'Donnell	Smith, S.W.	Whittet
Corrigan	Houghton	O'Grady	Snyder	Wilcox
Cutler	Howe	Parkhurst	Southworth	Wyckoff
Davidson	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1717) entitled "An act to authorize local authorities to contract for the purification of water and sewerage" (Int. No. 1449), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Parkhurst	Southworth
Babcock	Dinkelspiel	Keck	Porter	Stein
Baker	Dowling	Keenan	Prescott	Stewart
Berry	Eldredge	Keleher	Reilly	Stone
Braun	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Brennan	Fish	Kerr	Robbins	Taylor
Brownell	Foley	Kern	Robertson	Terry, C.W.
Burtis	Friday	Kneeland	Robinson	Terry, J.F.
Bush	Fuller	Lasch	Robson	Thompson
Butts	Gerst	Lawson	Roche	Tilton
Callahan	Gleason	Lee	Ryder, E.L.	Tobin
Carroll	Glenn	Loonan	Scanlon	Trainor
Cassin	Gould	Matthews	Schoepflin	Tuttle
Chambers	Herrman	McDermott	Schulz, F.F.	Vacheron
Clark, F.E.	Hobbie	McKeon	Schulz, H	Vehslage
Clark, J. H.	Hoefler	Melody	Sherwood	Whittet
Conklin	Horton	Messiter	Smith, M.F.	Wieman
Corrigan	Hotaling	Mitnacht	Smith, S.W.	Wilcox
Cutler	Houghton	O'Grady	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 818) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of commissioners of parks in said city" (Int. No. 752), having been announced for a third reading,

On motion of Mr. Robertson, said bill was laid aside.

The bill (No. 1719) entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872" (Int. No. 1299), having been announced for a third reading,

On motion of Mr. McNamee, and by unanimous consent, the committee on affairs of cities was discharged from the consideration of Senate bill No. 1046, Rec. No. 434, same title and subject,

and the same was substituted for Assembly bill No. 1719, Int. No. 1299, now under consideration on the order of third reading.

Said Senate bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Parkhurst	Stein
Babcock	Douglas	Keck	Plant	Stewart
Baker	Dowling	Keenan	Porter	Stone
Berry	Eldredge	Keleher	Reilly	Sulzer
Braun	Fairbrother	Kelsey	Rider, J.J.	Taylor
Brennan	Fish	Kerr	Robbins	Terry, C. W.
Brownell	Foley	Kern	Robertson	Terry, J.F.
Burtis	Fuller	Kneeland	Robson	Thompson
Bush	Gardiner	Lasch	Roche	Thornton
Butts	Gerst	Lawson	Ryder, E.L.	Tilton
Callahan	Gleason	Lee	Scanlon	Tobin
Carroll	Glenn	Loonan	Schoepflin	Trainor
Cassin	Gould	Matthews	Schulz, F.F.	Tuttle
Chambers	Herrman	McDermott	Schulz, H	Vacheron
Clark, F.E.	Hobbie	McNamee	Sherwood	Vehslage
Clark, J. H.	Hoefler	McKeon	Smith, M.F.	Whittet
Conklin	Horton	Messiter	Smith, S.W.	Wieman
Corrigan	Hotaling	Mittnacht	Snyder	Wray
Cutler	Houghton	O'Grady	Southworth	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1746) entitled "An act to authorize the common council of the city of Auburn to borrow money and issue its bonds for the maintenance of the fire department of said city" (Int. No. 1490), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	92	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dean	Keck	Porter	Stewart
Babcock	Dinkelspiel	Keenan	Reilly	Stone
Baker	Dowling	Keleher	Rider, J.J.	Sulzer
Berry	Eldredge	Kelsey	Robbins	Taylor
Braun	Fairbrother	Kerr	Robertson	Terry, C.W.
Brennan	Fish	Kern	Robson	Terry, J.F.
Brownell	Foley	Kneeland	Roche	Thompson
Burtis	Fuller	Lasch	Ryder, E.L.	Tilton
Bush	Gerst	Lawson	Scanlon	Tobin
Butts	Gleason	Lee	Schoepflin	Trainor
Callahan	Glenn	Loonan	Schulz, F.F.	Tuttle
Carroll	Gould	Matthews	Schulz, H	Vacheron
Cassin	Gray	McDermott	Seibert	Van Amber
Chambers	Herrman	McNamee	Sherwood	Wells
Clark, F.E.	Hobbie	Melody	Smith, M.F.	Whittet
Clark, J. H.	Hoefler	Messiter	Smith, S.W.	Wieman
Conklin	Horton	Mittnacht	Snyder	Wilcox
Corrigan	Hotaling	O'Grady	Southworth	Wray
Cutler	Houghton	Parkhurst	Stein	Wyckoff
Davidson	Howe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 953) entitled "An act to amend section 12 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Rec. No. 398), was read the second time.

On motion of Mr. Douglas, said bill was placed on the order of third reading.

Mr. Carroll moved to substitute said bill for Assembly bill No. 1562, Int. No. 1367, same title and subject, now on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1566) entitled "An act to legalize all assessments for local improvements heretofore made in the city of Watertown" (Int. No. 1327), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Porter	Southworth
Babcock	Dinkelspiel	Keck	Prescott	Stein
Baker	Douglas	Keenan	Reilly	Stewart
Berry	Dowling	Keleher	Rider, J.J.	Stone
Braun	Eldredge	Kelsey	Robbins	Sulzer
Brennan	Fairbrother	Kerr	Robertson	Taylor
Brownell	Fish	Kern	Robson	Terry, C.W.
Burtis	Foley	Kneeland	Roche	Terry, J.F.
Bush	Fuller	Lasch	Ryder, E.L.	Thompson
Butts	Gerst	Lawson	Scanlon	Tilton
Callahan	Gleason	Lee	Schillinger	Trainor
Carroll	Glenn	Loonan	Schoepflin	Tuttle
Cassin	Gould	Matthews	Schulz, F.F.	Vacheron
Chambers	Herrman	McDermott	Schulz, H	Van Amber
Clark, F.E.	Hobbie	McKeon	Sheffield	Wells
Clark, J. H.	Hoefler	Melody	Sherwood	Whittet
Conklin	Horton	Messiter	Smith, M.F.	Wieman
Corrigan	Hotaling	O'Grady	Smith, S.W.	Wilcox
Cutler	Houghton	Parkhurst	Snyder	Wyckoff
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 953) entitled "An act to amend section 12 of chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Rec. No. 398), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Fairbrother	Kelsey	Porter	Stadtfeld
Baker	Finnigan	Kerr	Prescott	Stein
Berry	Fish	Kern	Reilly	Stevens
Braun	Foley	Kerrigan	Rider, J.J.	Stewart
Brownell	Friday	Kneeland	Robbins	Sulzer
Bush	Fuller	Lasch	Robertson	Taylor
Butts	Gerst	Lawson	Robinson	Terry, C.W.

Callahan	Gleason	Lee	Robson	Terry, J.F.
Carroll	Gould	Lounsbury	Roche	Thompson
Chambers	Gray	Loonan	Scanlon	Thornton
Clark, F.E.	Herrman	Marrin	Schillinger	Tobin
Conklin	Higbie	Matthews	Schoepflin	Trainor
Corrigan	Hobbie	McDermott	Schulz, F.F.	Tuttle
Coughlin	Hoefler	McNamee	Schulz, H	Vacheron
Cutler	Horton	Melody	Seibert	Vehslage
Davidson	Houghton	Messiter	Sheffield	Wells
Denniston	Howe	O'Donnell	Sherwood	Whittet
Dinkelspiel	Keck	O'Grady	Smith, M.F.	Wieman
Douglas	Keenan	Parkhurst	Smith, S.W.	Wilcox
Eldredge	Keleher	Plant	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1230) entitled "An act to vacate certain assessments for improving Second avenue in the city of Albany" (Int. No. 1089), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Parkhurst	Southworth
Babcock	Denniston	Hoysradt	Porter	Stein
Baker	Dinkelspiel	Keck	Prescott	Stevens
Berry	Dowling	Keleher	Rider, J.J.	Stewart
Braun	Eldredge	Kelsey	Robbins	Stone
Brownell	Fairbrother	Kern	Robertson	Taylor
Burtis	Fish	Kerrigan	Robson	Terry, J.F.
Bush	Foley	La Fetra	Roche	Thompson
Cahill	Friday	Lasch	Ryder, E.L.	Thornton
Cain	Fuller	Lawson	Scanlon	Tilton
Carroll	Gardiner	Lounsbury	Schoepflin	Tobin
Cassin	Gleason	Matthews	Schulz, F.F.	Tuttle
Chapman	Glenn	McKeon	Schulz, H	Vacheron
Clark, J. H.	Gould	McNamee	Seibert	Wells
Conklin	Gray	Messiter	Sheffield	Whittet
Corrigan	Herrman	Mitnacht	Sherwood	Wieman
Coughlin	Higbie	O'Donnell	Smith, M.F.	Wilcox
Cutler	Hoefler	O'Grady	Snyder	Wray
Davidson	Horton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1001) entitled "An act making an appropriation for the State land survey" (Int. No. 916), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Fish	Kerrigan	Prescott	Stewart
Babcock	Foley	Kneeland	Rider, J.J.	Stone
Braun	Fuller	Lasch	Robbins	Terry, C.W.
Brennan	Gardiner	Lawson	Robertson	Terry, J.F.
Brownell	Glenn	Lee	Robson	Thompson
Burtis	Gould	Lounsbury	Roche	Tilton
Butts	Harrigan	Loonan	Scanlon	Trainor
Cain	Herrman	Marrin	Schoepflin	Tuttle
Cassin	Higbie	Matthews	Schulz, H	Vacheron
Clark, F.E.	Hobbie	Melody	Seibert	Van Amber
Clark, J. H.	Hoefler	Messiter	Sheffield	Vehslage
Conklin	Horton	Mitnacht	Smith, M.F.	Whittet
Coughlin	Howe	Myers	Snyder	Wieman
Dean	Hoysradt	O'Grady	Stadtfeld	Wilcox
Dinkelspiel	Kelsey	Parkhurst	Stein	Wray
Eldredge	Kerr	Porter	Stevens	Wyckoff
Fairbrother	Kern			

Those who voted in the negative, were

Schulz, F.F. Smith, S.W. Sulzer

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 514) entitled "An act to lay out and establish a grand boulevard and concourse together with fifteen roads running transversely underneath said boulevard in the city of New York" (Int. No. 507), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Messiter	Smith, M. F.
Babcock	Douglas	Howe	Mittnacht	Snyder
Baker	Dowling	Keck	Myers	Southworth
Berry	Eldredge	Keenan	O'Donnell	Stadtfeld
Braun	Fairbrother	Keleher	Parkhurst	Stein
Brownell	Fish	Kelsey	Plant	Stevens
Burtis	Foley	Kerr	Porter	Stewart
Butts	Friday	Kern	Prescott	Stone
Cahill	Fuller	Kerrigan	Reilly	Taylor
Cain	Gardiner	Kneeland	Rider, J.J.	Terry, J.F.
Callahan	Gleason	La Fetra	Robbins	Thornton
Cassin	Glenn	Lasch	Robertson	Tilton
Chambers	Gould	Lawson	Robson	Tobin
Chapman	Gray	Lee	Roche	Tuttle
Conklin	Harrigan	Lounsbury	Ryder, E.L.	Vacheron
Corrigan	Herrman	Loonan	Scanlon	Wells
Coughlin	Higbie	Marrin	Schoepflin	Whittet
Cutler	Hobbie	Matthews	Seibert	Wilcox
Davidson	Hoefler	McDermott	Sheffield	Wray
Denniston	Horton	McNamee	Sherwood	

Those who voted in the negative, were

Schulz, F.F. Sulzer Wieman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1718) entitled "An act to amend the insurance law" (Int. No. 1204), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	O'Grady	Stadtfeld
Babcock	Eldredge	Keenan	Parkhurst	Stein
Baker	Fairbrother	Kelsey	Plant	Stevens
Berry	Fish	Kerr	Porter	Stewart
Braun	Foley	Kern	Prescott	Stone
Brownell	Friday	Kneeland	Rider, J.J.	Taylor

Burtis	Fuller	La Fetra	Robbins	Terry, C.W.
Butts	Gardiner	Lasch	Robinson	Terry, J.F.
Cahill	Gerst	Lawson	Roche	Thompson
Callahan	Glenn	Lee	Ryder, E.L.	Tilton
Carroll	Gould	Lounsbury	Schoepflin	Tobin
Cassin	Gray	Loonan	Schulz, F.F.	Tuttle
Chapman	Harrigan	Marrin	Seibert	Vacheron
Clark, F.E.	Herrman	Matthews	Sheffield	Vehslage
Conklin	Higbie	McDermott	Sherwood	Wells
Corrigan	Hobbie	McNamee	Smith, M. F.	Whittet
Cutler	Horton	Melody	Smith, S.W.	Wieman
Davidson	Hotaling	Mittnacht	Snyder	Wilcox
Dean	Howe	Myers	Southworth	Wray
Dinkelspiel	Hoysradt	O'Donnell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish in the chair.

Mr. Ainsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Eldredge	Howe	Myers	Smith, S.W.
Babcock	Fairbrother	Hoysradt	Nixon	Snyder
Baker	Finnigan	Keck	O'Donnell	Stadtfeld
Berry	Fish	Keenan	O'Grady	Stein
Braun	Foley	Keleher	Parkhurst	Stewart
Brennan	Friday	Kelsey	Plant	Stone
Brownell	Fuller	Kerr	Porter	Sulzer
Bush	Gardiner	Kern	Reilly	Taylor
Butts	Gerst	Kerrigan	Rider, J.J.	Terry, C.W.
Cahill	Gleason	Kneeland	Robbins	Terry, J.F.
Cain	Glenn	La Fetra	Robertson	Tilton
Carroll	Gould	Lasch	Robinson	Tobin
Cassin	Harrigan	Lawson	Robson	Trainor
Clark, F.E.	Hennessy	Lee	Roche	Tuttle
Conklin	Herrman	Loonan	Scanlon	Vacheron
Corrigan	Higbie	Marrin	Schoepflin	Van Amber
Davidson	Hobbie	Matthews	Schulz, H	Vehslage
Dean	Hoefler	McKeon	Seibert	Whittet
Denniston	Horton	McNamee	Sheffield	Wieman
Dinkelspiel	Hotaling	Melody	Sherwood	Wray
Douglas	Houghton	Messiter	Smith, M.F.	Wyckoff
Dowling				

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1235) entitled "An act to amend section 714 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 567 of the Laws of 1887, relating to the department of docks" (Int. No. 1095), having been announced for a third reading,

On motion of Mr. Lawson, said bill was laid aside.

The Senate bill (No. 991) entitled "An act making an appropriation for repairing and rebuilding the Schoharie creek dam, used as a feeder for the Erie canal" (Rec. No. 479), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 107 }
 } NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hoysradt	O'Donnell	Sherwood
Babcock	Douglas	Keck	O'Grady	Smith, S.W.
Baker	Dowling	Keenan	Parkhurst	Snyder
Berry	Eldredge	Keleher	Plant	Stein
Braun	Fairbrother	Kelsey	Porter	Stevens
Brennan	Finnigan	Kerr	Prescott	Stewart
Brownell	Fish	Kern	Reilly	Stone
Burtis	Friday	Kerrigan	Rider, J.J.	Taylor
Bush	Fuller	Kneeland	Robbins	Terry, C.W.
Butts	Gardiner	Lasch	Robertson	Terry, J.F.
Cain	Gerst	Lawson	Robinson	Thornton
Callahan	Gleason	Lee	Robson	Tilton
Carroll	Gould	Lounsbury	Roche	Trainor
Cassin	Gray	Loonan	Ryder, E.L.	Tuttle
Chambers	Harrigan	Marrin	Scanlon	Vacheron
Chapman	Herrman	Matthews	Schillinger	Wells
Clark, J. H.	Higbie	McDermott	Schoepflin	Whittet
Conklin	Hobbie	McNamee	Schulz, F.F.	Wieman
Corrigan	Hoefer	Melody	Schulz, H	Wilcox
Coughlin	Horton	Messiter	Seibert	Wray

Davidson	Hotaling	Mittnacht	Sheffield	Wyckoff
Dean	Howe			

In the negative,
Smith, M.F.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 628) entitled "An act in relation to mines" (Rec. No. 275), having been announced for a third reading,

Mr. Douglas moved that said bill be laid aside.

Pending the question,

Mr. Ainsworth moved that the session be extended until 7.30 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Douglas, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	66	}
{	NOES	39	}

Those who voted in the affirmative, were

Babcock	Eldredge	Howe	Porter	Stewart
Baker	Fairbrother	Hoysradt	Reilly	Taylor
Braun	Fish	Kneeland	Rider, J.J.	Terry, C.W.
Brownell	Friday	La Petra	Robson	Terry, J.F.
Burtis	Fuller	Lawson	Schoepflin	Thompson
Butts	Gardiner	Lee	Schulz, H	Tuttle
Cassin	Glenn	Loonan	Seibert	Vacheron
Chambers	Harrigan	Matthews	Sheffield	Van Amber
Clark, F.E.	Higbie	Messiter	Sherwood	Wells
Clark, J.H.	Hobbie	Myers	Smith, M.F.	Whittet
Conklin	Hoefer	O'Grady	Snyder	Wilcox
Dean	Hotaling	Parkhurst	Stein	Wyckoff
Denniston	Houghton	Plant	Stevens	Speaker
Douglas				

Those who voted in the negative, were

Berry	Davidson	Horton	Melody	Southworth
Brennan	Dowling	Keleher	Mittnacht	Stone
Bush	Finnigan	Kelsey	Nixon	Sulzer
Cahill	Foley	Lasch	Robbins	Tilton
Cain	Gerst	Marrin	Ryder, E.L.	Trainor
Carroll	Gleason	McDermott	Scanlon	Vehslage
Corrigau	Hennessy	McKeon	Schillinger	Wieman
Coughlin	Herrman	McNamee	Smith, S.W.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Taylor offered for the consideration of the House a resolution, in the words following:

Whereas, The library of the Assembly should be accessible at all times during the year to the members of Assembly and the officers thereof, and the printed reports, documents, laws and journals should be kept intact, and proper indices provided for present reference and future guidance,

Resolved, That the librarian and assistant librarian of the Assembly, under and in compliance with its rules, be requested, and they are hereby authorized and directed to devote the necessary time and use proper diligence during the term of the Assembly in preserving all records, books, documents and proceedings composing the Assembly library, and in preparing indices thereof, and that they afford the facilities during said term for proper access to said library.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keck	Robbins	Taylor
Baker	Fairbrother	Kelsey	Robertson	Terry, C.W.
Braun	Fish	Kern	Robson	Terry, J. F.
Brennan	Friday	Kneeland	Scanlon	Thompson
Brownell	Fuller	Lasch	Schoepflin	Thornton
Burtis	Gardiner	Lawson	Schulz, F.F.	Tilton
Bush	Gerst	Lee	Schulz, H	Trainor
Cahill	Glenn	Lounsbury	Seibert	Tuttle
Callahan	Gould	Matthews	Sheffield	Vacheron
Cassin	Gray	McNamee	Sherwood	Van Amber
Chambers	Higbie	Messiter	Smith, M. F.	Wells
Clark, F.E.	Hobbie	Nixon	Smith, S.W.	Whittet

Clark, J. H.	Hoefer	O'Grady	Snyder	Wieman
Conklin	Horton	Parkhurst	Stevens	Wilcox
Cutler	Hotaling	Porter	Stewart	Wray
Dean	Houghton	Prescott	Stone	Wyckoff
Denniston	Howe	Rider, J. J.		

A message from the Governor, by the hand of his private secretary, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 25, 1894. }

To the Assembly:

Assembly bill No. 383, entitled "An act to release to Elizabeth Smith all the right, title and interest of the people of the State of New York in and to certain real estate in the city and county of Schenectady," is herewith returned without approval.

No information is before me to indicate that the object of this bill can not be accomplished under existing general law.

ROSWELL P. FLOWER.

On motion of Mr. Myers, said bill and the accompanying message were laid upon the table.

The Senate bill (No. 696) entitled "An act to amend the insurance law" (Rec. No. 350) was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Parkhurst	Southworth
Babcock	Dowling	Keenan	Plant	Stadtfeld
Baker	Eldredge	Keleher	Porter	Stein
Braun	Fairbrother	Kerr	Prescott	Stevens
Brennan	Fish	Kern	Reilly	Stone
Brownell	Foley	Kerrigan	Robbins	Taylor
Burtis	Friday	Kneeland	Robertson	Terry, C W.
Butts	Fuller	Lasch	Robson	Terry, J. F.
Cahill	Gardiner	Lawson	Roche	Thompson
Cain	Gerst	Lee	Scanlon	Thornton
Carroll	Glenn	Lounsbury	Schoepflin	Tilton
Cassin	Goold	Marrin	Schulz, F. F.	Tobin
Chambers	Gray	Matthews	Schulz, H	Tuttle
Clark, F. E.	Herrman	McKeon	Seibert	Vacheron
Clark, J. H.	Higbie	McNamee	Sheffield	Wells

Conklin	Hobbie	Messiter	Sherwood	Whittet
Corrigan	Hoefler	Mittnacht	Smith, M.F.	Wieman
Cutler	Horton	Nixon	Smith, S.W.	Wray
Dean	Houghton	O'Donnell	Snyder	Wyckoff
Denniston	Howe	O'Grady		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker appointed the following conference committee on the bill (No. 1411) entitled "An act to lay out and establish Fort Washington park in the Twelfth ward in the city of New York" (Int. No. 943): Messrs. Sheffield, Lawson, F. F. Schulz, Reilly and E. L. Ryder.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have appointed a committee of conference thereon.

The Senate bill (No. 845) entitled "An act for the construction of a wall on the Erie canal in the town of Verona, Oneida county, from the bridge at Higginsville, west of same, and to make an appropriation therefor" (Rec. No. 293), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	O'Donnell	Smith, S.W.
Babcock	Eldredge	Keenan	O'Grady	Snyder
Baker	Finnigan	Keleher	Parkhurst	Southworth
Berry	Fish	Kelsey	Porter	Stadtfield
Braun	Foley	Kerr	Prescott	Stein
Brownell	Friday	Kern	Reilly	Stevens
Burtis	Fuller	Kerrigan	Rider, J.J.	Stewart
Butts	Gardiner	Kneeland	Robbins	Stone
Cahill	Gleason	Lasch	Robertson	Sulzer
Cain	Glenn	Lawson	Robson	Taylor
Carroll	Gray	Lee	Roche	Terry, C.W.
Cassin	Harrigan	Loonan	Ryder, E.L.	Thompson
Chambers	Herrman	Marrin	Scanlon	Thornton
Clark, F.E.	Higbie	Matthews	Schoepfin	Tilton

Clark, J. H.	Hobbie	McDermott	Schulz, F.F.	Trainor
Conklin	Hoefer	McNamee	Seibert	Tuttle
Coughlin	Horton	Messiter	Sheffield	Wells
Cutler	Houghton	Myers	Sherwood	Wilcox
Dean	Howe	Nixon	Smith, M.F.	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 905) entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds for the building of school-houses and the payment of debts contracted for the purchase of land for school purposes" (Rec. No. 315), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	98	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Parkhurst	Stadtfeld
Babcock	Eldredge	Keenan	Plant	Stein
Baker	Fairbrother	Keleher	Porter	Stevens
Braun	Fish	Kelsey	Reilly	Stewart
Brennan	Foley	Kerr	Rider, J.J.	Stone
Burtis	Friday	Kern	Robbins	Sulzer
Bush	Fuller	Kerrigan	Robertson	Taylor
Cahill	Gardiner	Kneeland	Robson	Terry, C.W.
Cain	Gerst	Lasch	Roche	Terry, J.F.
Callahan	Glenn	Lawson	Scanlon	Thompson
Cassin	Gould	Lounsbury	Schillinger	Tilton
Clark, F.E.	Gray	Loonan	Schoepflin	Trainor
Clark, J. H.	Harrigan	Marrin	Schulz, H	Vacheron
Conklin	Herrman	Matthews	Seibert	Wells
Coughlin	Higbie	McKeon	Sheffield	Whittet
Cutler	Hobbie	McNamee	Sherwood	Wieman
Dean	Horton	Messiter	Smith, M.F.	Wilcox
Denniston	Hotaling	Myers	Smith, S.W.	Wray
Dinkelspiel	Houghton	O'Donnell	Snyder	Wyckoff
Douglas	Hoysradt	O'Grady		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 776) entitled "An act to construct a bridge over Butternut creek in the town of Dewitt, in the county of Onondaga, and for an appropriation therefor" (Rec. No. 361), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	O'Donnell	Stadtfeld
Babcock	Eldredge	Keenan	Parkhurst	Stein
Baker	Fairbrother	Keleher	Porter	Stevens
Berry	Fish	Kelsey	Prescott	Stewart
Braun	Foley	Kerr	Rider, J.J.	Sulzer
Brennan	Friday	Kern	Robbins	Taylor
Burtis	Fuller	Kerrigan	Robertson	Terry, C.W.
Bush	Gardiner	Kneeland	Robson	Thompson
Cahill	Gleason	Lasch	Roche	Thornton
Cain	Glenn	Lawson	Scanlon	Tilton
Carroll	Gray	Loonan	Schillinger	Trainor
Chambers	Harrigan	Marrin	Schoepflin	Tuttle
Clark, F.E.	Herrman	Matthews	Schulz, F.F.	Van Amber
Conklin	Higbie	McDermott	Seibert	Wells
Coughlin	Hobbie	McKeon	Sheffield	Whittett
Cutler	Hoefer	Melody	Sherwood	Wieman
Davidson	Horton	Messiter	Smith, M.F.	Wilcox
Dean	Houghton	Myers	Smith, S.W.	Wray
Denniston	Howe	Nixon	Southworth	Wyckoff
Dinkelspiel				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 399) entitled "An act to provide for cleaning the Madison brook feeder, Lebanon feeder and Summit level of the Chenango canal, and for repairing the bulkheads, waste-weirs and bridges thereon" (Rec. No. 310), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	Porter	Stevens
Babcock	Eldredge	Keleher	Prescott	Stewart
Baker	Fairbrother	Kelsey	Reilly	Stone
Braun	Fish	Kerr	Robbins	Taylor
Brennan	Foley	Kern	Robertson	Terry, C. W.
Burtis	Friday	Kneeland	Robinson	Terry, J.F.
Bush	Fuller	La Fetra	Robson	Thompson
Cahill	Gardiner	Lasch	Roche	Thornton
Cain	Gerst	Lawson	Ryder, E.L.	Tilton
Callahan	Gleason	Lee	Schoepflin	Tobin
Carroll	Gould	Loonan	Schulz, F.F.	Tuttle
Chambers	Gray	Marrin	Seibert	Vacheron
Clark, F.E.	Herrman	McDermott	Sheffield	Van Amber
Conklin	Higbie	McNamee	Sherwood	Vehslage
Corrigan	Hobbie	Melody	Smith, M.F.	Whittet
Coughlin	Hoefler	Mittnacht	Smith, S.W.	Wieman
Cutler	Horton	Myers	Snyder	Wilcox
Dean	Hotaling	O'Grady	Southworth	Wray
Denniston	Houghton	Parkhurst	Stein	Wyckoff
Dinkelspiel	Hoysradt	Plant		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to amend chapter 584 of the Laws of 1869, entitled 'An act to create the Manhattan Eye and Ear Hospital, in the city of New York,' passed May 5, 1869, as amended by chapter 349 of the Laws of 1884" (Rec. No. 364), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Snyder
Babcock	Dinkelspiel	Howe	Parkhurst	Stadtfield
Baker	Dowling	Keck	Porter	Stein
Braun	Eldredge	Keleher	Prescott	Stevens
Brownell	Fairbrother	Kelsey	Rider, J.J.	Stone

Burtis	Fish	Kern	Robbins	Taylor
Butts	Friday	Kerrigan	Robertson	Terry, J.F.
Cahill	Fuller	Kneeland	Robson	Thompson
Callahan	Gardiner	Lawson	Roche	Tilton
Carroll	Glenn	Lee	Scanlon	Trainor
Chambers	Gould	Lounsbury	Schoepflin	Tuttle
Chapman	Gray	Marrin	Schulz, H	Van Amber
Clark, F.E.	Harrigan	Matthews	Seibert	Wells
Clark, J. H.	Herrman	McKeon	Sheffield	Whittet
Conklin	Higbie	Melody	Sherwood	Wilcox
Coughlin	Hoefer	Myers	Smith, M.F.	Wray
Cutler	Hotaling	Nixon	Smith, S.W.	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 861) entitled "An act to amend section 130 of the Penal Code" (Rec. No. 362), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Nixon	Stadtfield
Babcock	Dinkelspiel	Howe	O'Grady	Stein
Baker	Dowling	Keck	Parkhurst	Stewart
Braun	Eldredge	Keleher	Porter	Stone
Brownell	Fairbrother	Kelsey	Prescott	Sulzer
Burtis	Fish	Kerr	Rider, J.J.	Terry, C.W.
Butts	Friday	Kern	Robertson	Terry, J. F.
Callahan	Fuller	Kneeland	Robson	Thompson
Carroll	Gardiner	Lasch	Roche	Tilton
Cassin	Gerst	Lawson	Scanlon	Trainor
Chapman	Glenn	Lounsbury	Schoepflin	Tuttle
Clark, F.E.	Gould	Marrin	Schulz, F.F.	Van Amber
Clark, J. H.	Gray	Matthews	Seibert	Wells
Conklin	Higbie	McKeon	Sherwood	Wieman
Coughlin	Hobbie	Melody	Smith, M.F.	Wray
Cutler	Hoefer	Messiter	Smith, S.W.	Wyckoff
Dean	Horton	Myers	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 906) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of the said city'" (Rec. No. 314), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor therefor, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	O'Grady	Stein
Babcock	Dinkelspiel	Howe	Parkhurst	Stevens
Baker	Dowling	Keck	Porter	Stewart
Braun	Eldredge	Keleher	Prescott	Stone
Brennan	Fairbrother	Kelsey	Rider, J.J.	Sulzer
Brownell	Fish	Kern	Robbins	Terry, C. W.
Burtis	Friday	Kerrigan	Robertson	Terry, J. F.
Bush	Fuller	Kneeland	Robson	Thompson
Butts	Gardiner	Lasch	Roche	Tilton
Callahan	Gerst	Lawson	Scanlon	Trainor
Carroll	Glenn	Lee	Schoepflin	Tuttle
Chambers	Gould	Lounsbury	Schulz, H	Vacheron
Chapman	Gray	Marrin	Seibert	Van Amber
Clark, F.E.	Herrman	Matthews	Sheffield	Wells
Clark, J. H.	Higbie	McKeon	Sherwood	Whittet
Conklin	Hobbie	Melody	Smith, M. F.	Wilcox
Coughlin	Hoefler	Messiter	Smith, S.W.	Wray
Cutler	Horton	Myers	Snyder	Wyckoff
Dean	Hotaling	Nixon	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Fuller offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1472, entitled "An act to revise the charter of the city of Watertown" (Int. No. 1200), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Ainsworth moved that the House now receive reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Coughlin, Int. No. 901, entitled "An act authorizing the Superintendent of Public Works to surrender to the city of Buffalo, for park purposes, certain lands in said city, belonging to the United States, and now in the possession of the State of New York, and to authorize said superintendent to purchase other lands to be used for the storage of property belonging to the Canal Department," reported in favor of the passage of the same, with the following amendment :

Strike out in the title of printed bill the words "and to authorize said superintendent to purchase other lands to be used for the storage of property belonging to the Canal Department."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and restored to its place on the order of third reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Ainsworth, Int. No. 1493, entitled "An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations," reported in favor of the passage of the same, with the following amendments :

Page 3, line 25, after the word "fifty" insert the word "five."

Page 5, line 2, strike out the word "Comptroller" and insert the word "commissioners."

Same page, after line 21, insert the following items :

"For the Superintendent of Public Instruction, for printing and binding in pamphlet form a sufficient number of copies of the 'Consolidated School Law' to supply the school commissioners and school districts of the State, and also for printing circulars for all school officers giving information in reference to school law, school meetings, etc., \$2,000, or so much thereof as may be necessary, payable from the free school fund."

"For the Superintendent of Public Buildings, for repairs of rooms occupied by the Secretary of State, including plastering of

walls and ceilings, plumbing and painting, the sum of \$3,500, or so much thereof as may be necessary."

"For J. J. Howell, for extra compensation as clerk of village, labor and excise committees over and above the amount allowed by law, \$200."

"For J. F. Tozer, for extra compensation as messenger to the cities committee over and above the amount allowed by law, \$200."

Page 6, line 12, strike out the words "five hundred."

Page 7, lines 23 and 24, strike out the words "two thousand" and insert the words "seventeen hundred and fifty."

Page 8, line 10, after the word "thousand" insert the words "five hundred."

Page 9, line 2, after the word "thousand" insert the words "five hundred."

Same page, line 7, strike out the word "fifteen" and insert the word "seventeen."

Same page, line 8, after the word "hundred" insert the words "and fifty."

Same page, line 19, strike out the word "three" and insert the word "four."

Same page, line 20, strike out the words "five hundred."

Page 10, line 6, after the word "thousand" insert the words "two hundred and fifty."

Page 5, after line 21, insert the following:

"For the board of commissioners created by chapter 270 of the Laws of 1888, for extension of dock at health officer's station, \$5,000."

Page 10, line 13, after the word "thousand" insert the words "five hundred."

Same page, line 20, insert the following:

"For Cornelius Coughlin, for the legal costs and expenses necessarily incurred by him in the matter of the election contest for his seat in the Assembly of 1894 as a member from the first district of Erie county, the sum of \$1,000."

D. E. AINSWORTH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Ainsworth moved to make said bill a special order immediately after the reading of the journal Thursday morning, April 26.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Ainsworth, from the committee on ways and means, to which was referred the bill introduced by Mr. Nixon, Int. No.

1489, entitled "An act to further examine into the existence of tuberculosis in cattle," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth, from the committee on ways and means, to which was referred the resolution offered by Mr. Baker, providing for the investigation by the committee on State prisons of the prisons of the State, reported in favor of the passage of the same, amended so as to read as follows :

Resolved, That the committee of the Assembly on prisons be and is hereby authorized and directed to visit the several State prisons under the control and management of the State, for the purpose of inspecting the management and condition of the same, with the view of ascertaining by inspection and inquiry, as may appear to said committee practicable and necessary, what legislation, if any, is required to improve the conduct and maintenance of such institutions and for any repairs, alterations or construction of buildings and apparatus connected therewith. Said committee may conduct the inquiries herein specified and authorized at such time or times during the remainder of the year 1894 as shall be most convenient, and may employ such clerical assistance, but not more than one clerk, as in their judgment may be necessary, and shall report the result thereof to the Assembly, with the recommendations concerning the same as required by the facts in the case.

Mr. Speaker put the question whether the House would agree to said report and the adoption of said resolution, and it was determined in the affirmative.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 440, entitled "An act authorizing the construction of new buildings at Sing Sing prison, making an appropriation therefor and authorizing the expending of certain moneys for that purpose," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. E. L. Ryder, said bill was referred to the committee on rules.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Pound, Rec. No. 357, entitled "An act authorizing the construction of a wrought-iron bridge over the Tonawanda creek at Pickardsville, in the counties of Niagara and Erie, and making an appropria-

tion therefor," reported the same, without amendment, which report was agreed to.

On motion of Mr. J. H. Clark, said bill was referred to the committee on rules.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Persons, Rec. No. 415, entitled "An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wells, Int. No. 1480, entitled "An act to authorize the city of Syracuse to use certain moneys raised 'for the construction or contribution to the cost of construction of a bridge and approaches over the tracks of the New York Central and Hudson River Railroad and Delaware, Lackawanna and Western Railroad Company, and the Erie canal, where the same crosses West Genesee street in said city,' for other purposes," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Wells, said bill was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 369, entitled "An act to legalize and provide for the payment of certain claims against Long Island City," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Higbie, said bill was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wolff, Rec. No. 408, entitled "An act relating to the improvement of public parks in the city of Brooklyn, and to provide the means therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wolfert, Rec. No. 409,

entitled "An act in relation to the acquisition of land for public parks in the city of Brooklyn, and to provide the means of payment therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wolfert, Rec. No. 376, entitled "An act in relation to the extension and improvement of Douglass street in the city of Brooklyn," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Reynolds, Rec. No. 433, entitled "An act to remit interest up to April 15, 1894, on assessments levied on real property abutting on Jefferson avenue, between Nostrand avenue and Tompkins avenue in the city of Brooklyn, for repairing said avenue," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 411, entitled "An act to authorize the city of Rochester to issue bonds to pay for a water distributing system," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 438, entitled "An act authorizing the city of Yonkers to issue bonds for the extension and better equipment of the fire department," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. E. L. Ryder, said bill was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Guy, Rec. No. 466, entitled "An act to amend chapter 560 of the Laws of 1894, entitled 'An act laying out a public park in the Twelfth ward in the city of New York, and authorizing the taking of land for

the same," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Reilly, said bill was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 413, entitled "An act to enable the city of Albany to procure additional land for park purposes," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Carroll, said bill was referred to the committee on rules.

On motion of Mr. Dowling, and by unanimous consent, the committee on affairs of cities was discharged from the further consideration of Senate bill No. 1062, entitled "An act to amend section 471 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to the construction or use of stables near places of public worship" (Rec. No. 422), and the same was referred to the committee on rules.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 352, entitled "An act to authorize and enable the city of Cohoes to borrow money upon its credit for the purpose of removing the present school building situated on Mangan street in that city and locating upon the same site a public school building and to properly furnish and equip the same," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cantor, Int. No. 387, entitled "An act to amend section 2006 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to theatrical licenses," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 439, entitled "An act authorizing the city of Yonkers to issue

street improvement bonds," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 65, entitled "An act to authorize the city of Yonkers to issue railway paving bonds," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 375, entitled "An act to amend chapter 14 of the Laws of 1888, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' and the several acts supplementary thereto," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Herrman, Int. No. 1478, entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine and audit the claim of Ludwig Bauman for goods furnished to the fire department of the city of New York, and to make appropriation for payment of the same," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Herrman, said bill was referred to the committee on rules.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Chambers, Int. No. 1269, entitled "An act to provide for the appointment of a board of police commissioners and for a police force in the village of Greenbush, county of Rensselaer," reported in favor of the passage of the same with the following amendment :

Page 7, line 3, strike out the words "until their successors are appointed" and insert the words "thirty days after the appointment of the commissioners provided in section 1 of this act."

JOHN M. CHAMBERS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Berry, Int. No. 1232, entitled "An act to amend chapter 518 of the Laws of 1867, entitled "An act to amend an act entitled An act to incorporate the village of White Plains," passed April 3, 1866," reported in favor of the passage of the following substitute therefor:

AN ACT to amend chapter 518 of the Laws of 1867, entitled "An act to amend an act entitled 'An act to incorporate the village of White Plains,' passed April 3, 1866."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one of title three of chapter five hundred and eighteen of the laws of eighteen hundred and sixty-seven, entitled "An act to amend an act entitled 'An act to incorporate the village of White Plains,'" is hereby amended so as to read as follows:

§ 1. The board of trustees shall have the sole management and control of the finances and of all the property belonging to the village. They shall appoint a superintendent of highways whose term of office shall expire on the first day of January in each year, who shall receive the sum of three hundred dollars per annum for his services; all the work and improvements done and bestowed upon any of the highways, streets, avenues and bridges of said village shall be under his superintendence; and all the work and improvements done and bestowed upon any of the highways, streets, avenues and the repairing and building bridges shall be let out by said board of trustees by contract to the lowest responsible bidder, for a term not exceeding two years; and no payments shall be made on account of any such contract except on the certificate of the said superintendent that the work has been satisfactorily performed, and ten per cent of said contract or contracts is to be retained by said village until the expiration of the year. All of said contracts shall expire on the first day of January; and for that purpose the said board of trustees shall divide the highways, streets and avenues of said village into districts; they shall also have the management and control of the sidewalks and crosswalks in said village; but no member of said board shall be interested, directly or indirectly, in any contract, engagement, matter or thing whatsoever in which the village shall be a party. The said board of trustees shall also have power and authority within said village to make, erect,

ordain, establish and publish, and at pleasure to alter, modify, amend or repeal ordinances, resolutions, rules and regulations for the following purposes, namely:

§ 2. Subdivision eleven of section one of title three of said act is hereby amended so as to read as follows:

11. To authorize and regulate the laying of water pipes, sewer pipes, and gas pipes and mains for the same, and the manner of making sewer connections therewith in any of the streets, avenues and public places in said village; and when the board of health of said village shall certify to said board of trustees that it is for the benefit of the public health in said village, that any person or corporation owning real property in said village shall make connections with the sewer for the disposal of the sewage from said property, the said board of trustees shall serve a notice on said property owner to that effect, and that said property owner shall make such connection within ten days after the service of said notice; and if said property owner fails or neglects to make said connection within said ten days, the said board of trustees may have the connection made and charge the same against such property, and the costs of such connection shall be a lien on such property the same as an unpaid tax thereon, and the same proceedings may be had for the enforcement thereof and the sale of said property as in such cases made and provided. Said sewer connections are to be made under the rules and regulations of the board of health of said village.

§ 3. Section two of title three of said act is hereby amended so as to read as follows:

§ 2. The board of trustees shall have power and is hereby authorized to appoint a police constable, and to prescribe his duties and compensation, such compensation, however, not to exceed the sum of one thousand dollars per annum, and to be paid in equal monthly installments, and who shall hold office during the pleasure of said board, and the said police constable shall not be paid or be entitled to receive any other fee or compensation than such salary for any arrest or other services rendered for or in said village. The said police constable is hereby authorized and empowered to serve and execute any criminal process and perform such other duties as pertain to the office of constable of a town in the county of Westchester, with the same force and effect as a constable of a town in said county elected by the people. Said police constable shall have exclusive jurisdiction within the corporate limits of the village to execute all criminal process and all process other than in civil actions and proceedings and all process issued by a police justice under section nine of title two of this act, and the constables elected in the towns within which such village is situated shall not have any jurisdiction or authority to

arrest in cases of vagrancy or to execute criminal process or any process other than in civil actions and proceedings within the corporate limits of said village. The board of trustees shall name and designate some suitable and proper person who shall, only in case of sickness, absence from the village, disability or inability of the police constable, perform the duties of said office during the time such sickness, absence, disability or inability shall continue, and such person shall have the same powers and authority and be subject to the same liabilities as said police constable, and in case he shall perform any of the duties of said police constable he shall be allowed therefor such fees or compensation as the board of trustees shall fix and determine and the amount thereof, when audited and paid, shall be deducted from the salary of said police constable. Such designation may be revoked and a redesignation made at any time. The said board is also hereby authorized and empowered, on the application, in writing, of any person residing in, or corporation, bank, banking institution, or cemetery association, located and doing business in said village, to appoint one or more special police constables for such time as may be requested in said application, or said board shall determine upon, whose duty it shall be to perform the duties of patrolman and watchman in, around and over the property and place of business of such person, corporation, bank, banking institution or cemetery association, and to prevent the property aforesaid from being stolen, injured or otherwise unlawfully interfered with by any person or persons, and said special police constable or police constables while in actual service shall have the same powers to arrest without process as are conferred upon the police constables by this act and shall be entitled to such compensation for the time he or they shall be in actual service as the said board shall determine upon at the time of making the appointment, such compensation to be paid by the person, corporation, bank, banking institution or cemetery association applying for the appointment of said special police, constable or constables; and of such person, corporation, bank, banking institution or cemetery association shall refuse to pay such compensation to said police constable or constables, he or they are authorized to sue for and recover such compensation with costs from any such person, corporation, bank, banking institution or cemetery association. And whenever the said board shall have reason to apprehend a breach of peace, or shall deem it necessary for the preservation of the public peace, or to quell and prevent any disturbances, riots and disorderly and unlawful assemblages and meetings in said village, the said board is hereby authorized and

empowered to appoint as many special police constables as said board shall deem necessary for such time as said board shall determine upon, who, while in actual service, shall have and possess the same powers to arrest, with or without process, as are conferred upon the police constable by this act, and who shall receive such compensation while in actual service as said board shall prescribe, such compensation to be paid by said village. The said board shall also appoint the clerk, treasurer and collector of taxes and assessments of said village, whose terms of office shall expire on the first day of July in each year.

§ 4. Section eight as added to title three of said act by chapter one hundred and seventy-nine, section twenty-one, of the laws of eighteen hundred and seventy-eight, is hereby amended so as to read as follows:

§ 8. The board of trustees shall pay to said police justice such annual compensation as said board shall fix and determine, not to exceed, however, the sum of five hundred dollars, which shall be in full for all services rendered said village as such police justice.

§ 5. Section one of title four of said act as amended by chapter one hundred and seventy-nine of the laws of eighteen hundred and seventy-eight and by chapter four hundred and ninety-three of the laws of eighteen hundred and eighty-four, is hereby amended so as to read as follows:

§ 1. The board of trustees are authorized and empowered, without any vote of the taxable inhabitants, to raise every year, by tax, to be assessed upon the estates and property, real and personal, within said village, and to be collected from the several owners and occupants thereof, the following sums for the purposes named, namely:

1. For purchase of any real estate or personal property for the use of said village, or for the hiring of suitable rooms for the use of said village and to defray the ordinary, necessary or contingent expenses of said village, an amount not exceeding three thousand dollars.

2. For making, working, repairing and improving roads and bridges, and for laying and maintaining crosswalks, a sum not exceeding fifteen thousand dollars in any one year, which amount so raised shall be denominated a highway tax or fund, and when raised, five thousand dollars thereof shall be devoted exclusively to the working, maintenance and repairing of the roads, avenues and streets, lanes, crosswalks and bridges of said village, and the balance thereof for permanent improvements of the same and for no other purpose whatever, and the treasurer of said village shall keep such fund so raised as a separate and distinct fund.

3. For lighting the streets, as hereinafter provided, such sums

as the board of trustees may deem to be necessary, provided, however, that said board shall not hereafter have authority to pay out any moneys raised for the purposes mentioned in this subdivision after the expiration of the contract now existing, for the lighting of the streets of said village, and shall not enter into any new contract for that purpose until after the said board shall have advertised for proposals for the lighting of the streets of said village, eight months prior to the expiration of the existing contract, and of any contract hereafter made, which notice shall be published for four weeks in the village newspapers, and in such other manner as the board may direct, for proposals to light the streets and public places of said village with gas or electricity, for the number of years allowed by law, and shall require separate bids for gas and for electricity and specify in such proposals the number of gas-lights and number of electric-lights required each night during such term and the candle-power required of each, and said board shall within thirty days after the opening of said bids enter into a contract with the person or corporation making the lowest bid therefor upon such person or corporation filing with the clerk of said board a bond with two sureties or of a surety company, in the penalty of ten thousand dollars for the faithful performance of such contract, which bond shall be approved by said board or by the county judge of the county of Westchester.

4. For the payment of any judgment which may hereafter be recovered against said village, such sum as may be necessary to discharge the same.

5. For supplying the village with pure water, for rental and use of fire hydrants, and for other village purposes, an amount not to exceed forty-five hundred dollars.

6. For the payment of the expense of maintaining the fire department and fire alarm system, an amount not to exceed eight hundred dollars.

7. For the salary of police constable, an amount not to exceed one thousand dollars.

8. For the salary of the police justice, an amount not to exceed five hundred dollars.

9. For the salary of the village clerk, an amount not to exceed four hundred dollars.

10. For the salary of the village treasurer, an amount not to exceed two hundred dollars.

11. For clearing crosswalks, and removing and disposing of garbage from the village, an amount not exceeding two thousand dollars.

§ 6. Section nine as added to title four of said act by chapter three hundred and fifteen of the laws of eighteen hundred and ninety is hereby amended so as to read as follows:

§ 9. The board of trustees is hereby authorized and empowered to enter into a contract or contracts with any corporation or corporations, or any town or county officer, officers or board, owning, using or occupying or having the control, management or supervision of any land, tenements, or building or buildings of any kind within the limits of the village of White Plains, and exempt from taxation, for the removal of the sewer matter from any such lands or other premises as the case may be, and the care and disposal of the same for a compensation therefor, to be paid in such sum or sums and at such time or times and in such manner as may be agreed to by said board of trustees. No such contract shall at any time extend beyond a period of five years.

§ 7. Section four of title five of said act is hereby amended so as to read as follows:

§ 4. Whenever a petition for opening, extending, straightening or widening any street or avenue in said village, signed by the property owners on said street or avenue representing forty per cent of the frontage of the property on said street or avenue as opened and as proposed to be opened, shall be presented, the board of trustees of said village shall cause a notice to be published in one of the village newspapers that such application has been made, and of the time (which shall not be less than ten days after the first publication of such notice) when they will proceed on such petition, which notice shall be published at least once in each week for two weeks successively in a newspaper published in said village. Before giving notice of the pending of such application the board of trustees shall fix the limit or district of assessment beyond which the assessment shall not extend and a description of such limit or district shall be inserted in and form a part of such notice. The said board of trustees shall meet at the time and place designated in said notice, and shall hear all parties interested in said improvement coming before said board for or against said application, and may adjourn such hearing from time to time, and if the said board shall deem the application proper it may review or alter the limit or district of assessment (but not increase the same), and may, on the day specified in said notice, or as soon thereafter as may be, at a regular adjourned meeting of the board, by a resolution adopted by a majority of the trustees and entered upon the minutes of the board, decide to allow such improvement to be made. If the board of trustees shall deem it proper to permit such improvements to be made they shall cause application to be made to the county court of the county of Westchester, or to the supreme court, at a special term held in the judicial district or department in which said county shall then be situated, for the appointment of three persons as commissioners, to estimate and assess the expense of said

improvements, and the amount of damages and benefits to be sustained and derived therefrom by the owners of such lands and buildings as may be affected thereby. Notice of such application shall be published in one or more of the village newspapers once in each week for two weeks successively before the day on which such application is so made. The said court upon such application, and after hearing all persons interested therein desiring to be heard, shall appoint three disinterested and competent freeholders as such commissioners. The said court may also appoint another or others to act in place of any one or more of such commissioners who may die, decline to serve, be or become interested in the improvement, or for any cause whatever may be disabled from serving, without notice, upon application of said board of trustees.

§ 8. Section thirteen of title five of said act is hereby amended so as to read as follows:

§ 13. After the report of the commissioners shall be confirmed the said report shall be delivered to the trustees of said village, who shall thereupon be authorized to cause such improvements to be made. At any time within the space of thirty days next after the confirmation of the said report, any person from whom any assessment contained therein may be due may pay the amount thereof, without any additional expense for collecting, to the treasurer of the village. On the expiration of thirty days from the confirmation of said report by the court, the trustees shall deliver the said report, or a copy thereof, duly certified by the clerk of said village, and attach thereto a warrant signed by a majority of said trustees, or by the president, commanding said collector to collect from the several persons named in the said report the several sums assessed against such persons respectively, in said report then remaining unpaid, together with such fees or compensation for his services as the trustees by a by-law have provided, not exceeding five per cent on the amount collected, and to pay the same, from time to time, when collected, to the treasurer of said village after deducting the aforesaid fees for making such collections. Such warrant shall be made returnable thirty days from the receipt thereof by said collector, but may be renewed and extended by an indorsement thereon signed by a majority of said trustees or by the president, for a period not exceeding thirty days. The said collector on receiving said report and warrant shall proceed to collect the assessments therein mentioned remaining unpaid, in the same manner as provided by section three of title four of this act for the collection of taxes. The collector shall, upon the expiration of one month from the receipt by him of a warrant for the collection of any assessment made under this title, report

to the board of trustees the amount of each assessment received by him under such warrant within such month and the amount of such assessment remaining unpaid and the said board shall thereupon issue bonds of the village to be known as assessment bonds to the amount of such assessments remaining unpaid. Such bonds shall be signed by the president of the board and the clerk, and shall have the seal of the village attached thereto, and shall be of such denomination, bear such interest, not exceeding four per centum per annum, and mature at such times, not exceeding five years from their date, as the said board of trustees may fix and determine. The said board of trustees may convert such bonds into money at not less than their par value and the proceeds thereof shall be applied only for the purpose for which the assessment so reported unpaid was laid, and all moneys received from such assessment or from the sales of the land for the non-payment of such assessments, after the issue of such bonds shall be held and used exclusively for the payment of such bonds and the interest thereon until the same are all paid and all surplus collected, if any, shall be applied to the purposes named in section one of title four of this act. In case the entire receipts for such assessments or sales of land for non-payment thereof, as herein provided, shall in any year not be sufficient to pay the interest for that year on the bonds hereinbefore authorized to be issued; or in case in any year when any of the principal of the loan secured by said bonds falls due, the amount of such receipts, together with the sum in the treasury of the village applicable thereto, shall not be sufficient to pay said principal, and also the said interest falling due that year, then it shall be the duty of said trustees to cause an amount sufficient to pay such deficiency to be assessed, levied and collected, in addition to other taxes, on and from the taxable property of said village at the same time and in the same manner as the other taxes of said village are assessed, levied and collected, and the amount so raised shall be applied to the payment of said interest or principal or both, or the deficiency thereof not otherwise provided for.

§ 9. Section fourteen of title five of said act is hereby amended so as to read as follows:

§ 14. Within six months after the report of the commissioners shall be confirmed the treasurer shall pay to the persons (or to the attorneys or legal representatives of such persons) to whom damages may have been awarded in such report the amount of such damages, without any deduction therefrom by way of fee or commission.

§ 10. Section thirty-six of title five of said act is hereby amended so as to read as follows:

§ 36. If the board of trustees shall decide not to allow such

improvement to be made as provided in this title, the person or persons who shall have signed the petition for any such improvement shall be jointly and severally liable to pay the said village all the expenses incurred for the publication of the notices mentioned in sections four, twenty-five and twenty-six of this title.

§ 11. Title six of said act is hereby amended by adding at the end thereof an additional section to be known as section five, and to read as follows:

§ 5. The trustees are hereby authorized and empowered to organize and maintain in the fire department a corps or body to be known as fire police or police patrol, which corps or body shall not exceed twenty members. Said fire police or police patrol, when organized, shall have power to elect a captain, first sergeant, second sergeant, secretary and treasurer and such other officers as the trustees may authorize, select members to fill vacancies, make and adopt by-laws for their government and discipline and impose fines and forfeitures for the violation of the same. The expulsion, nomination or rejection of members shall be subject to the approval of the trustees. The trustees shall also have power to appoint members of said fire police or police patrol, police constables of said village, and when on duty they shall have the same powers as police constables appointed by the trustees under the provisions of the charter. They shall also have the same rights and privileges as members of the fire department of said village. The said trustees shall also provide suitable rooms for said fire police or police patrol, and provide necessary badges for the members. The said members shall perform such duties, and have such powers and rights and be subject to such penalties as are now or may hereafter be prescribed or ordained in the by-laws and ordinances of said village.

§ 12. All acts and parts of acts, so far as they are inconsistent with the provisions of this act, are hereby repealed.

§ 13. This act shall take effect immediately.

JOHN M. CHAMBERS,

Chairman.

Which report was agreed to.

On motion of Mr. Harrigan, said bill was referred to the committee on rules.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Harrigan, Int. No. 1422, entitled "An act to provide for the construction of an asphalt pavement in the village of White Plains," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Harrigan, said bill was referred to the committee on rules.

Mr. Chambers, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Reilly, Int. No. 1476, entitled "An act to amend chapter 78 of the Laws of 1880, entitled 'An act to enable the trustees of villages in the county of Richmond to contract for a supply of water for fire and other public purposes and to raise and expend money therefor, as amended by chapter 174 of the Laws of 1889, and chapter 620 of the Laws of 1892,'" reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Reilly, said bill was referred to the committee on rules.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Kilburn, Rec. No. 395, entitled "An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the village of Gloversville,'" reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Keck, said bill was referred to the committee on rules.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 428, entitled "An act to further amend chapter 449 of the Laws of 1871, entitled 'An act authorizing the trustees of the village of College Point to issue bonds and borrow money for the erection of a school-house in said village, and to increase the school tax in said village,' as amended by chapter 111 of the Laws of 1887," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 442, entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,'" reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. E. L. Ryder, said bill was referred to the committee on rules.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Pound, Rec. No. 410, entitled "An act to authorize the establishment of a system for lighting the village of North Tonawanda, Niagara county, with electric light, and to provide the necessary funds for that purpose," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Chambers, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 354, entitled "An act to create a new sewer commission for the village of West Troy," reported in favor of the passage the same, without amendment, which report was agreed to.

On motion of Mr. Chambers, said bill was referred to the committee on rules.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Berry, Int. No. 1331, entitled "An act to incorporate the fireman's benevolent fund association of Mount Vernon, N. Y.," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Harrigan, said bill was referred to the committee on rules.

Mr. Higbie, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 437, entitled "An act to authorize the construction of a new bridge connecting Pelham Bay park with City Island, in the county of Westchester," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Higbie, said bill was referred to the committee on rules.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Babcock, Int. No. 1471, entitled "An act to make the office of sheriff of Steuben county a salaried office in part, and to regulate the management of said office," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ainsworth moved that Senate bill (No. 498) entitled "An act to amend chapter 143 of the Laws of 1892, entitled 'An act

to incorporate the city of Niagara Falls' " (Rec. No. 271), be laid aside.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Keck, from the committee on general laws, to which was referred the bill introduced by Mr. Berry, Int. No. 1419, entitled "An act to amend section 37 of chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 424, entitled "An act to further extend and amend an act entitled 'An act to incorporate the Wandowenck Fire, Hook and Ladder Company, passed April 15, 1845,'" reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Robertson, Rec. No. 436, entitled "An act to incorporate the Firemen's Benevolent Fund Association, of Mount Vernon, New York," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Harrigan, said bill was referred to the committee on rules.

Mr. Keck, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Rice, Rec. No. 435, entitled "An act to amend chapter 361 of the Laws of 1884, entitled 'An act to establish a State board of pharmacy and to regulate the practice of pharmacy throughout the State of New York, except in the counties of New York, Kings and Erie,'" reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. McNamee, said bill was referred to the committee on rules.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. O'Connor, Rec. No. 429, entitled "An act to empower the trustees of the several State hospitals for the insane to appoint a

committee to discharge patients during intervals between the regular meetings of said board," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burtis, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Owens, Rec. No. 356, entitled "An act to provide for the reorganization of the board of charities and corrections of the county of Kings, and for the appointment of a commissioner thereof, and subordinates of said department," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. F. F. Schulz, said bill was referred to the committee on rules.

Mr. Stone, from the committee on claims, to which was referred the Senate bill introduced by Mr. Parker, Rec. No. 321, entitled "An act conferring additional jurisdiction on the Board of Claims to hear and determine the claim of W. W. Brinkerhoff against the State, and to make an award therefor," reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Messiter, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Childs, Rec. No. 425, entitled "An act for the preservation of macadamized public highways in Queens county, reported in favor of the passage of the same, with the following amendment:

Page 2, section 2, line 8, insert the word "Broadway" after the word "on."

U. S. MESSITER,
Chairman.

Which report was agreed to.

On motion of Mr. Messiter, said bill was referred to the committee on rules.

Mr. Bush moved that Senate bill No. 764, entitled "An act to amend the Penal Code in relation to military offenses" (Rec. No. 279), be made a special order for to-morrow at 12 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Thornton, from the committee on the judiciary, to which

was referred the bill introduced by Mr. Sheffield, Int. No. 940, entitled "An act to amend the stock corporation law," reported in favor of the passage of the same with amendments, which report was agreed to.

On motion of Mr. Sulzer, said bill was referred to the committee on rules.

The hour of adjournment having arrived, the House adjourned.

THURSDAY, APRIL 26, 1894.

The House met pursuant to adjournment.

Prayer by Rev. William M. Brundage.

On motion of Mr. Bush, the journal of yesterday was approved without being read.

The Senate returned the bill (not printed) entitled "An act to amend chapter 243 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' as amended and established by chapter 14, Laws of 1880, and the several acts amendatory thereof and supplementary thereto" (Int. No. 114), with a message that they have consented to the appointment of a committee of conference thereon, and have appointed as such committee Messrs. Parsons, Pound and O'Donnel.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 860) entitled "An act to open the Fulton chain of lakes and the connecting streams thereof as a public highway" (Int. No. 262), with a message that they have consented to the appointment of a committee of conference thereon, and have appointed as such committee Messrs. Donaldson, Coggeshall and Coffee.

Ordered, that the Clerk return said bill to the Senate.

On motion of Mr. Bush, and by unanimous consent, Senate bill No. 764, entitled "An act to amend the Penal Code in relation to military offenses" (Rec. No. 279), was read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hotaling	McKeon	Schulz, H
Babcock	Dowling	Houghton	McNamee	Seibert
Baker	Eldredge	Howe	Melody	Sheffield
Berry	Fairbrother	Hoysradt	Messiter	Sherwood
Braun	Finnigan	Keck	Mittnacht	Smith, M.F.
Brownell	Fish	Keenan	Myers	Smith, S.W.
Burtis	Foley	Keleher	O'Donnell	Snyder
Bush	Friday	Kelsey	O'Grady	Stadtfeld
Cahill	Fuller	Kerr	Parkhurst	Stein
Callahan	Gardiner	Kern	Plant	Stevens
Cassin	Gerst	Kerrigan	Porter	Stewart
Chambers	Glenn	Kneeland	Rider, J.J.	Taylor
Clark, F.E.	Gould	Lasch	Reilly	Terry, C.W.
Clark, J. H.	Gray	Lawson	Robbins	Thompson
Conklin	Harrigan	Lee	Robertson	Tilton
Coughlin	Herrman	Lounsbury	Robson	Trainor
Cutler	Higbie	Loonan	Roche	Vacheron
Davidson	Hobbie	Marrin	Scanlon	Wells
Dean	Hoefler	Matthews	Schillinger	Wilcox
Denniston	Horton	McDermott	Schoepflin	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Wilcox offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1140, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, and acts amendatory thereof, in relation to the enforcement and collection of taxes in and for the village of Fair Haven in the county of Cayuga,'" for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 1234) entitled "An act to appropriate money for the support of the insane under the provisions of chapter 126 of the Laws of 1890, and 214 of the Laws

of 1993" (Int. No. 1094), with a message that they have concurred in the passage of the same with the following amendment:

Section 1, line 17, strike out the word "two" after the word "ninety."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keleher	O'Donnell	Stein
Babcock	Eldredge	Kelsey	Plant	Stevens
Baker	Fairbrother	Kerr	Porter	Stewart
Berry	Fish	Kern	Prescott	Stone
Braun	Foley	Kerrigan	Rider, J.J.	Taylor
Brennan	Friday	Kneeland	Robbins	Terry, C. W.
Brownell	Fuller	La Fetra	Robinson	Terry, J.F.
Bush	Gardiner	Lasch	Robson	Thompson
Butts	Gerst	Lawson	Roche	Thornton
Cahill	Glenn	Lee	Scanlon	Tobin
Callahan	Gould	Lounsbury	Schillinger	Trainor
Carroll	Gray	Loonan	Schoepflin	Tuttle
Chambers	Hennessy	Marrin	Schulz, H	Vacheron
Clark, F.E.	Herrman	Matthews	Seibert	Van Amber
Conklin	Higbie	McDermott	Sheffield	Wells
Corrigan	Horton	McNamee	Sherwood	Whittet
Coughlin	Hotaling	Melody	Smith, M.F.	Wieman
Cutler	Houghton	Messiter	Smith, S.W.	Wilcox
Dean	Howe	Mitnacht	Snyder	Wray
Denniston	Keck	Myers	Southworth	Wyckoff
Dinkelspiel	Keenan	Nixon	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the concurrent resolutions recalling from the Governor for the purpose of amendment, the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to revise the charter of the city of Watertown." (No. 1472, Int. No. 1200.)

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' and amendatory acts thereof, in relation to the enforcement and collection of taxes in and for the village of Fair Haven, in the county of Cayuga." (No. 1140, Int. No. 1004.)

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate sent for concurrence the following entitled bills :

“An act to amend section 714 of chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ as amended by chapter 567 of the Laws of 1887, relating to the department of docks” (No. 1094, Rec. No. 504), which was read the first time.

Mr. Sulzer moved that said bill be referred to the committee on affairs of cities.

Mr. Ainsworth moved to amend said motion by referring said bill to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

{ AYES 64 }
{ NOES 41 }

Those who voted in the affirmative, were

Ainsworth	Fish	Houghton	Rider, J.J.	Stone
Babcock	Friday	Howe	Robbins	Terry, J. F.
Baker	Fuller	Keck	Robertson	Thornton
Braun	Gardiner	Kelsey	Robson	Tilton
Brownell	Gerst	Kern	Scanlon	Tuttle
Burtis	Glenn	Lawson	Schoepflin	Vacheron
Chambers	Gould	Lee	Seibert	Van Amber
Clark, J. H.	Gray	Matthews	Sheffield	Wells
Conklin	Higbie	Messiter	Sherwood	Whittet
Cutler	Hobbie	O'Grady	Smith, M. F.	Wieman
Dean	Hoefer	Parkhurst	Smith, S.W.	Wyckoff
Denniston	Horton	Porter	Snyder	Speaker
Fairbrother	Hotaling	Prescott	Stewart	

Those who voted in the negative, were

Berry	Coughlin	Herrman	McDermott	Roche
Brennan	Davidson	Hoysradt	McNamee	Ryder, E.L.
Bush	Dowling	Keleher	Melody	Schillinger
Butts	Finnigan	Kerr	Mittnacht	Stadtfeld
Cahill	Foley	Kerrigan	Myers	Stein
Carroll	Gleason	Lasch	O'Donnell	Sulzer
Cassin	Harrigan	Loonan	Plant	Tobin
Chapman	Hennessy	Marrin	Reilly	Trainor
Corrigan				

Mr. Speaker then put the question whether the House would

agree to the motion of Mr. Sulzer, as amended, and it was determined in the affirmative.

"An act to amend chapter 334 of the Laws of 1890, entitled 'An act to incorporate the New York and New England Agricultural and Industrial Society' (No. 1037, Rec. No. 506), which was read the first time and referred to the committee on general laws.

"An act to repeal section 1023 and to amend sections 993, 1022 and 1337 of the Code of Civil Procedure" (No. 1102, Rec. No. 507), which was read the first time.

On motion of Mr. Cutler, said bill was referred to the committee on rules.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to facilitate State commerce by increasing the lockage capacity of the Erie canal, and by improving the Erie, Oswego, Black River, Seneca, Cayuga and Champlain, and the Seneca lake level of the Chemung canal, and making appropriations therefor." (No. 471, Rec. No. 238.)

"An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police force in the city of Yonkers.'" (No. 665, Rec. No. 231.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill (No. 576) entitled "An act making an appropriation for the support of government" (Int. No. 582), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 499) entitled "An act to amend section 699 of the Penal Code, in relation to criminal charges against children" (Rec. No. 179), with a message that they have concurred in the amendments of the Assembly thereto, with the following further amendment:

Section 1, line 16, strike out the words "other than a capital offense."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	O'Grady	Southworth
Berry	Fairbrother	Kelsey	Parkhurst	Stadtfeld
Braun	Finnigan	Kerr	Plant	Stein
Brownell	Fish	Kern	Porter	Stevens
Burtis	Foley	Kerrigan	Prescott	Stewart
Bush	Friday	Kneeland	Rider, J.J.	Stone
Cahill	Fuller	La Fetra	Robbins	Sulzer
Cain	Gardiner	Lasch	Robertson	Taylor
Callahan	Gerst	Lawson	Robson	Terry, C.W.
Carroll	Glenn	Lee	Roche	Thompson
Cassin	Gould	Lounsbury	Ryder, E.L.	Thornton
Chambers	Gray	Loonan	Scanlon	Tilton
Clark, F.E.	Harrigan	Marrist	Schillinger	Trainor
Clark, J.H.	Herrman	Matthews	Schoepflin	Tuttle
Conklin	Higbie	McDermott	Schulz, F.F.	Vacheron
Coughlin	Hobbie	McKeon	Schulz, H	Vehslage
Coughlin	Hoefler	McNamee	Seibert	Wells
Cutler	Horton	Melody	Sheffield	Whittet
Davidson	Hotaling	Messiter	Sherwood	Wieman
Dean	Houghton	Mittnacht	Smith, M.F.	Wilcox
Denniston	Howe	Myers	Smith, S.W.	Wray
Dinkelspiel	Hoysradt	Nixon	Snyder	Wyckoff
Douglas	Keck			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

Mr. Parkhurst, from the committee on railroads, to which was referred the bill introduced by Mr. F. F. Schulz, Int. No. 484, entitled "An act to provide for the use of devices for safety in the operation of railroads when electricity is used as a motive power," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. F. F. Schulz, said bill was referred to the committee on rules.

Mr. Reilly, from the committee of conference, presented the following report :

To the Legislature :

The undersigned, appointed by the Senate and Assembly as a committee of conference relating to the matters of difference arising between the two Houses upon the Assembly bill entitled "An act to lay out and establish Fort Washington park in the

Twelfth ward of the city of New York," report that they have duly conferred upon said matters, and agreed to recommend as follows :

That the Assembly recede from its amendments.

That section 2 of said bill be amended by striking out the word "directed" where it occurs in the third and eighth lines and substituting in place thereof the word "empowered."

WILLIAM H. REYNOLDS,
CHARLES L. GUY,
C. R. PARSONS,
Senate Committee.

JAMES R. SHEFFIELD,
EDGAR L. RYDER,
JUDSON LAWSON,
JAMES F. REILLY,
FRANK F. SCHULZ,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Higbie	Matthews	Sheffield
Babcock	Dean	Hobbie	McKeon	Sherwood
Baker	Denniston	Hoefler	McNamee	Smith, S.W.
Berry	Dinkelspiel	Horton	Melody	Snyder
Braun	Douglas	Hotaling	Messiter	Southworth
Brennan	Dowling	Houghton	Mittnacht	Stein
Brownell	Eldredge	Howe	Nixon	Stevens
Burtis	Fairbrother	Hoysradt	O'Donnell	Stone
Bush	Finnigan	Keenan	O'Grady	Sulzer
Cahill	Fish	Keleher	Parkhurst	Taylor
Cain	Foley	Kelsey	Plant	Terry, J.F.
Callahan	Friday	Kerr	Porter	Thompson
Carroll	Fuller	Kern	Prescott	Thornton
Cassin	Gardiner	Kerrigan	Reilly	Tilton
Chambers	Gerst	Kneeland	Robbins	Tobin
Chapman	Gleason	La Fetra	Robinson	Tuttle
Clark, J. H.	Glenn	Lasch	Roche	Vacheron
Conklin	Gould	Lawson	Scanlon	Wells
Corrigan	Gray	Lee	Schillinger	Whittet
Coughlin	Harrigan	Loonan	Schulz, H	Wieman
Cutler	Herrman	Marrin	Seibert	Wray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon:

Mr. J. F. Terry, from the committee of conference, presented the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 886), entitled "An act concerning the probate of the wills of non-residents" (Int No. 815), report that they have duly conferred upon said matters, and agreed to recommend as follows:

Amend by adding at the end of section 1 the following:

Provided, that before any such will shall be admitted to probate in any county of this State, the same proceedings shall be had in the surrogate's court of the proper county as are required by law upon the proof of the last will and testament of a resident of this State who shall have died therein; except that there need be cited upon such probate proceeding only the beneficiaries named in such will.

EDMUND O'CONNOR,
J. MULLIN,
JACOB A. CANTOR,
Senate Committee.

J. F. TERRY,
L. B. KERN,
PHILIP KECK,
P. H. ROCHE,
SAM'L J. FOLEY,
Assembly Committee.

Mr. Speaker put the question whether House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present,

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Porter	Stevens
Babcock	Denniston	Howe	Prescott	Stewart
Baker	Dinkelspiel	Keenan	Rider, J.J.	Stone
Berry	Dowling	Keleher	Robbins	Sulzer
Brennan	Eldredge	Kerr	Robertson	Taylor
Burtis	Fairbrother	Kerrigan	Robinson	Terry, C W.
Bush	Fish	Kneeland	Robson	Terry, J.F.
Butts	Foley	Lasch	Roche	Thompson
Cahill	Friday	Lawson	Ryder, E.L.	Thornton
Cain	Fuller	Loonan	Scanlon	Tilton
Callahan	Gardiner	Marrin	Schillinger	Tobin
Cassin	Glenn	Matthews	Schoepflin	Tuttle
Chambers	Gould	McKeon	Schulz, H	Van Amber
Clark, J. H.	Gray	Melody	Seibert	Wells
Conklin	Hennessy	Mittnacht	Sheffield	Whittett

Corrigan	Herrman	Myers	Smith, M.F.	Wieman
Coughlin	Higbie	Nixon	Snyder	Wilcox
Cutler	Hoefler	O'Grady	Southworth	Wyckoff
Davidson	Horton	Plant	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

The Senate sent for concurrence the following entitled bill:

"An act to authorize the commissioners of highways and the town board of any town of 1,000 or less inhabitants adjoining a city having not less than 35,000 inhabitants, to expend a sum of money in addition to that authorized by the highway law, and to incur an indebtedness for the grading, macadamizing and improving of highways in such town" (No. 994, Rec. No. 391), which was read the first time.

On motion of Mr. Harrigan, said bill was substituted for Assembly bill No. 1650, Int. No. 1414, same title and subject, laid aside on the order of third reading and referred to the committee on rules.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same:

Senate, "An act to reorganize the board of excise commissioners for the county of Richmond." (No. 876, Rec. No. 461.)

Senate, "An act to amend an act entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' passed July 1, 1882, and known as chapter 410 of the Laws of New York for the year 1882." (No. 1107, Rec. No. 515.)

Senate, "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of commissioners of parks in said city." (No. 510, Rec. No. 441.)

Senate, "An act to amend chapter 361 of the Laws of 1863." (No. 1081, Rec. No. 480.)

Senate, "An act to amend section 198 of article 8 of the game law, relating to cultivation of shell fish." (No. 228, Rec. No. 138.)

Senate, "An act to incorporate the Fireman's Benevolent Fund

Association of the city of Mount Vernon, N. Y." (No. 227, Rec. No. 62.)

Senate, "An act in relation to the police force in Richmond county." (No. 969, Rec. No. 462.)

Senate, "An act to provide for the annexation to the city of Brooklyn of the town of Gravesend, in Kings county." (No. 1048, Rec. No. 404.)

Senate, "An act to amend section 3374 of the Code of Civil Procedure, relating to the abandonment and discontinuance of condemnation proceedings." (No. 865, Rec. No. 405.)

Senate, "An act to authorize the Board of Claims to rehear, audit and determine the claims of Jacob Crouse and Silas B. Fyler, and to make awards thereon." (No. 1084, Rec. No. 476.)

Senate "An act to amend chapter 711 of the Laws of 1893, entitled 'An act in relation to the sale and redemption of land sold for taxes.'" (No. 846, Rec. No. 468.)

"An act to promote and encourage a faithful and efficient service in the prevention of contagious diseases, and to provide for a health department pension fund in the city of New York." (No. 89, Int. No. 93.)

Senate, "An act to amend section 471 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to the construction or use of stables near places of public worship." (No. 1062, Rec. No. 422.)

Senate, "An act to amend chapter 182 of the Laws of 1884, entitled 'An act to regulate the grade and to fix the pay or compensation of members of the police force who are or who may be appointed patrolmen on or after January 1, 1885, in all cities of this State having, according to the last census, a population exceeding 800,000.'" (No. 300, Rec. No. 485.)

Senate, "An act providing for the formation, management and supervision of co-operative savings and loan associations." (No. 325, Rec. No. 126.)

"An act to provide for the incorporation of associations for loaning money on personal property." (No. 1574, Int. No. 1335.)

Senate, "An act for the disposition and use of insurance moneys received for loss or damage of property in the State normal or training schools." (No. 438, Rec. No. 129.)

Senate, "An act in relation to auction sales." (Not printed, Rec. No. 508.)

"An act to provide for the construction of an asphalt pavement in the village of White Plains." (No. 1658, Int. No. 1422.)

Senate, "An act to authorize payments for sales of certain lands by the Commissioners of the Land Office to be credited to the Adirondack park special fund." (Not printed, Rec. No. 500.)

Senate, "An act to amend chapter 501 of the Laws of 1885, entitled 'An act to amend chapter 151 of the Laws of 1882, entitled An act to amend chapter 361 of the Laws of 1881, entitled An act to amend chapter 542 of the Laws of 1880, entitled An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations'" (No. 850, Rec. No. 406.)

Senate, "An act to authorize and provide for the construction of a tunnel under Newtown creek, for the purpose of public travel between the counties of Kings and Queens." (No. 561, Rec. No. 401.)

Senate, "An act to authorize the construction of a new bridge connecting Pelham Bay park with City Island in the county of Westchester." (No. 961, Rec. No. 437.)

Senate, "An act to provide for the acquisition of lands for public use between Tenth avenue and other streets and the Hudson river, in the city of New York, adjoining and in addition to the lands authorized to be acquired by chapter 249 of the Laws of 1890, and chapter 102 of the Laws of 1893." (Not printed, Rec. No. 486.)

Senate, "An act to provide for the erection of a statue of Major-General Frederick William, Baron Steuben, in the county of Steuben." (No. 366, Rec. No. 484.)

Senate, "An act in relation to the enlargement of Hoffman Island and making an appropriation therefor." (Not printed, Rec. No. 478.)

Senate, "An act to authorize the city of Mount Vernon, Westchester county, to acquire and complete a system of water-works to supply said city with pure and wholesome water, and to issue bonds of said city in payment therefor." (No. 907, Rec. No. 305.)

Senate, "An act to grant and release to William Baker all the right, title and interest of the people of the State of New York

in and to certain real estate in the city of Buffalo." (No. 915, Rec. No. 944.)

Senate, "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof.'" (No. 1059, Rec. No. 442.)

Senate, "An act to provide for the construction of a building for hospital purposes in the city of New York." (No. 1101, Rec. No. 467.)

Senate, "An act in relation to common schools in the city of Elmira." (Not printed, Rec. No. 488.)

Senate, "An act to repeal chapter 414 of the Laws of 1892, entitled 'An act to amend section 2 of chapter 299 of the Laws of 1890, entitled An act to provide for the erection of a building for certain purposes relating to the public interest in the city of New York,' amending chapter 323 of the Laws of 1888." (No. 320, Rec. No. 465.)

Senate, "An act to amend chapter 339 of the Laws of 1892, entitled 'An act to regulate, improve and enlarge Park avenue above One Hundred and Sixth street, in the city of New York, and providing for the passage of intersecting streets, under the railroad structure of the New York and Harlem Railroad Company, and for the elevation of said railroad structure, and for changing the grade of said railroad, and for the construction of a new railroad bridge at an increased elevation over the Harlem river, and providing for all changes in any avenues, streets or railroads that may be necessary by reason of such change in structure and grade and increased elevation of bridge, and for other purposes.'" (No. 1074, Rec. No. 469.)

Senate, "An act to provide for the compulsory education of children." (No. 873, Rec. No. 320.)

Senate, "An act in relation to Long Island City school buildings." (No. 598, Rec. No. 369.)

Senate, "An act to provide for the printing of an additional number of volume 5 of the report of the Senate committee on cities." (No. 794, Rec. No. 470.)

Which report was agreed to.

The Senate bill (No. 876) entitled "An act to organize the board of excise commissioners for the county of Richmond" (Rec. No. 461), having been announced for a second reading,

On request of Mr. Ainsworth, said bill was laid aside.

The Senate bill (No. 228) entitled "An act to amend section 198 of article 8 of the game law, relating to cultivation of shell fish" (Rec. No. 138), was read the second time.

On motion of Mr. E. L. Ryder, said bill was placed on the order of third reading.

On motion of E. L. Ryder, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	O'Donnell	Stein
Babcock	Dowling	Keenan	O'Grady	Stevens
Baker	Eldredge	Keleher	Plant	Stewart
Berry	Fairbrother	Kerr	Porter	Stone
Braun	Fish	Kern	Reilly	Taylor
Brennan	Foley	Kerrigan	Robbins	Terry, C.W.
Brownell	Friday	Kneeland	Robertson	Terry, J.F.
Burtis	Fuller	La Fetra	Robinson	Thompson
Bush	Gardiner	Lawson	Robson	Thornton
Butts	Gerst	Lee	Roche	Tilton
Cain	Glenn	Lounsbury	Scanlon	Tobin
Carroll	Gould	Loonan	Schillinger	Tuttle
Chambers	Herrman	Marrin	Schulz, F.F.	Van Amber
Clark, J. H.	Higbie	McDermott	Schulz, H	Wells
Conklin	Hobbie	McKeon	Seibert	Whittet
Coughlin	Hoefer	Melody	Sheffield	Wieman
Cutler	Horton	Messiter	Smith, S.W.	Wilcox
Dean	Houghton	Mittnacht	Snyder	Wyckoff
Denniston	Hoysradt	Myers	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 227) entitled "An act to incorporate the Firemen's Benevolent Fund Association of the city of Mount Vernon, N. Y." (Rec. No. 62), was read the second time.

On motion of Mr. J. H. Ryder, said bill was placed on the order of third reading.

On motion of Mr. E. L. Ryder, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Parkhurst	Stein
Babcock	Douglas	Keeran	Porter	Stevens
Baker	Eldredge	Kelsey	Prescott	Stewart
Berry	Fairbrother	Kerr	Reilly	Stone
Braun	Fish	Kern	Robbins	Taylor
Brownell	Foley	Kerrigan	Robertson	Ferry, J.F.
Burtis	Friday	Lasch	Robinson	Thompson
Butts	Fuller	Lawson	Robson	Tilton
Cahill	Gardiner	Lounsbury	Roche	Tobin
Callahan	Gerst	Loonan	Scanlon	Trainor
Cassin	Glenn	Matthews	Schoepflin	Vacheron
Chambers	Gould	McDermott	Schulz, H	Wells
Clark, F.E.	Gray	McNamee	Seibert	Whittet
Conklin	Herrman	Messiter	Sheffield	Wieman
Corrigan	Higbie	Myers	Smith, M.F.	Wilcox
Cutler	Hoefer	O'Donnell	Snyder	Wray
Davidson	Hotaling	O'Grady	Stadtfeld	Wyckoff
Dean	Howe			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ainsworth moved a close call of the members of the House, excepting only the ladies and duly authorized members of the press.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth moved to except the galleries.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill (not printed) entitled "An act appointing a committee to examine into the tenement-house question in the city of New York, and to report to the next Legislature." (Int. No. 1453.)

Mr. Speaker put the question whether the house would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1758) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations." (Int. No. 1493.)

Said bill having been announced for a second reading,

Mr. Bush moved to amend said bill as follows:

Page 11, after line 24, insert the following:

"For copying and completing the personal records of the regiments, companies, troops and batteries of this State which served in the late war for the Union, and preparing blanks therefor, and for printing and binding the same in book form under the direction of the Adjutant-General, \$10,000, or so much thereof as may be necessary; and the clerical assistants to be employed in the work shall be subject to such rules of examination only as the Adjutant-General shall prescribe."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 93 }
{ NOES 2 }

Those who voted in the affirmative, were

Babcock	Foley	Kneeland	Rider, J.J.	Stewart
Baker	Friday	La Fetra	Robbins	Stone
Berry	Gardiner	Lasch	Robertson	Sulzer
Braun	Gould	Lawson	Robinson	Taylor
Brennan	Gray	Lee	Roche	Terry, C W.
Bush	Harrigan	McDermott	Ryder, E.L.	Terry, J.F.
Butts	Hennessy	McKeon	Seanlon	Thornton
Carroll	Herrman	McNamee	Schillinger	Tilton
Cassin	Hoefer	Melody	Schoepfin	Trainor
Chapman	Horton	Messiter	Schulz, F.F.	Tuttle
Clark, F.E.	Houghton	Mitnacht	Seibert	Vacheron
Conklin	Howe	Myers	Sheffield	Van Amber
Corrigan	Hoysradt	Nixon	Sherwood	Vehslage
Davidson	Keck	O'Donnell	Smith, M.F.	Wells
Denniston	Keenan	O'Grady	Smith, S. W.	Whittet
Dinkelspiel	Kelsey	Parkhurst	Stadtfeld	Wilcox

Dowling	Kerr	Porter	Stein	Wray
Fairbrother	Kern	Prescott	Stevens	Wyckoff
Finnigan	Kerrigan	Reilly		

Those who voted in the negative, were
Fish Plant

Mr. Ainsworth moved to amend the amendment of Mr. Bush adopted by the House by adding thereto the following:

“But no part of this appropriation shall be expended in the the employment of any clerks who are not honorably discharged soldiers or sailors, and the comptroller shall refuse payment of any compensation to any clerk until satisfactory proof of this fact shall be presented to him.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer moved to amend said bill as follows:

Page 8, line 26, after the word “thousand” insert the words “five hundred.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hennessy moved to amend said bill as follows:

Page 9, line 11, strike out the words “fifteen hundred” and insert the words “two thousand.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sulzer moved to amend said bill as follows:

Page 5, after line 23, insert the following:

“For compensation for clerk hire, stenographer, postage, stationery and other expenses of a commissioner who may be appointed by the Governor to examine and report to the next Legislature as to the necessity and propriety of a partial revision of the Code of Civil Procedure, with a view to its condensation and simplification, and as to whether a rearrangement upon a more scientific basis would not render it more convenient and valuable, and if so in what respects, upon vouchers to be approved by the Governor, the sum of \$1,000, or so much thereof as may be necessary.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill, as amended, was then read the second time, and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	Porter	Stadtfield
Babcock	Eldredge	Keleher	Prescott	Stein
Baker	Fairbrother	Kelsey	Rider, J.J.	Stevens
Berry	Finnigan	Kerr	Robbins	Stewart
Braun	Fish	Kern	Robertson	Stone
Brennan	Friday	Kneeland	Robson	Taylor
Brownell	Fuller	La Fetra	Roche	Terry, J.F.
Bush	Gardiner	Lawson	Ryder, E.L.	Thornton
Butts	Gerst	Lee	Scanlon	Tilton
Callahan	Glenn	Lounsbury	Schillinger	Tobin
Carroll	Gould	Marrin	Schoepflin	Trainor
Chambers	Gray	Matthews	Schulz, F.F.	Tuttle
Chapman	Herrman	McKeon	Seibert	Vacheron
Clark, J. H.	Higbie	Melody	Sheffield	Van Amber
Conklin	Hobbie	Messiter	Sherwood	Wells
Gutler	Hoefler	Myers	Smith, M.F.	Wieman
Davidson	Hotaling	Nixon	Smith, S.W.	Wray
Dean	Houghton	O'Grady	Snyder	Wyckoff
Dinkelspiel	Howe	Parkhurst		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the further special order, being the Senate bill (No. 876) entitled "An act to reorganize the board of excise commissioners for the county of Richmond." (Rec. No. 461.)

Said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 45 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kelsey	Robson	Terry, C.W
Babcock	Fuller	Kern	Scanlon	Terry, J.F.
Baker	Gardiner	Kneeland	Schoepflin	Thompson

Braun	Gerst	Lawson	Schulz, F.F.	Thornton
Brownell	Glenn	Lee	Schulz, H	Tilton
Burtis	Gould	Lounsbury	Seibert	Tuttle
Chambers	Gray	Matthews	Sheffield	Vacheron
Clark, F.E.	Higbie	Nixon	Sherwood	Van Amber
Clark, J. H.	Hobbie	O'Grady	Smith, M.F.	Wells
Conklin	Hoefer	Parkhurst	Smith, S.W.	Whittet
Cutler	Horton	Porter	Snyder	Wieman
Dean	Hotaling	Prescott	Stevens	Wilcox
Eldredge	Houghton	Rider, J.J.	Stewart	Wray
Fairbrother	Howe	Robbins	Stone	Wyckoff
Fish	Keck	Robertson	Taylor	Speaker

Those who voted in the negative, were

Berry	Corrigan	Keleher	McNamee	Ryder, E.L.
Bush	Coughlin	Kerr	Melody	Schillinger
Butts	Dinkelspiel	Kerrigan	Mittnacht	Southworth
Cahill	Dowling	La Fetra	Myers	Stadtfeld
Cain	Finnigan	Lasch	O'Donnell	Stein
Callahan	Foley	Loonan	Plant	Sulzer
Carroll	Harrigan	Marrin	Reilly	Tobin
Cassin	Hennessy	McDermott	Robinson	Trainor
Chapman	Hoysradt	McKeon	Roche	Vehslage

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 510) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of commissioners of parks in said city" (Rec. No. 441), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 42 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kneeland	Schoepflin	Terry, J.F.
Babcock	Fuller	Lawson	Schulz, F.F.	Thompson
Baker	Gardiner	Lee	Schulz, H	Thornton

Braun	Gerst	Matthews	Seibert	Tilton
Brownell	Glenn	Messiter	Sheffield	Tuttle
Burtis	Gould	Nixon	Sherwood	Vacheron
Chambers	Gray	O'Grady	Smith, M.F.	Van Amber
Clark, F.E.	Higbie	Parkhurst	Smith, S.W.	Wells
Conklin	Hoefer	Porter	Snyder	Whittet
Cutler	Horton	Prescott	Stevens	Wieman
Dean	Hotaling	Rider, J.J.	Stewart	Wilcox
Denniston	Houghton	Robbins	Stone	Wray
Eldredge	Howe	Robertson	Taylor	Wyckoff
Fairbrother	Kelsey	Robson	Terry, C.W.	Speaker
Fish	Kern	Scanlon		

Those who voted in the negative, were

Berry	Davidson	Hoysradt	McDermott	Ryder, E.L.
Brennan	Dinkelspiel	Keleher	McKeon	Schillinger
Bush	Dowling	Kerr	Melody	Southworth
Butts	Finnigan	Kerrigan	Mittnacht	Stadtfeld
Cain	Foley	La Fetra	Myers	Stein
Callahan	Gleason	Lasch	O'Donnell	Sulzer
Carroll	Harrigan	Loonan	Plant	Trainor
Cassin	Hennessy	Marrin	Roche	Vehslage
Corrigan	Herrman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message from the Governor, by the hands of his private secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, {
ALBANY, April 26, 1894. }

To the Assembly:

Assembly bill No. 576, entitled "An act making appropriations for the support of government," is hereby returned without approval.

I regret that I am compelled to veto this bill as a whole because of the action of the Legislature in insisting upon incorporating in the bill a provision of irrelevant general legislation, to wit, the following:

"The Attorney-General shall designate and select all counsel to be employed in the Department of Agriculture or by the Factory Inspector, Commission of Fisheries, or any of the other commissions provided for by law for the enforcement of laws connected with any of said departments or commissions and a proper administration of said departments or commissions in all cases hereafter arising, and shall fix the compensation of said counsel; and the Comptroller shall not audit any bills for counsel fees or

charges in connection with said departments or commissions except those of counsel designated and selected by the Attorney-General in accordance herewith."

The Constitution gives the Executive power to veto items of appropriation of money in bills, but gives him no power to veto items of general legislation. Therefore, if general legislation is contained in an appropriation bill the Executive is forced to approve or disapprove the bill as a whole, according to his judgment as to the merit or demerit of the legislation sought to be enacted thus indirectly. If the bill is one making appropriation for the support of government, the alternative is presented of withholding the necessary moneys for carrying on the business of the State or of allowing the objectionable general legislation to become law. For this reason the insertion of provisions of general legislation in an appropriation bill has always been considered a pernicious practice, and has been denounced repeatedly by the best political sentiment in State and nation. It is practically a club to enforce the acquiescence of an independent Executive in the wishes of the Legislature. It, therefore, is an attack upon the Executive's prerogative and an attempt to prevent the exercise of his constitutional rights.

The literature of legislation, State and federal, abounds with condemnations of this pernicious practice. The custom has become almost obsolete in this State owing to the public sentiment which has been aroused against it. Governor Robinson, in two of his annual messages to the Legislature, urged its abandonment, saying:

"A very objectionable practice has grown up of inserting general legislation in appropriation bills. The effect of it is to conceal legislative provisions in places where they ought not to be and where the public generally do not think of looking for them. It also puts it beyond the power of the Governor to withhold his approval from such provisions unless he vetoes the whole appropriation bill in which they are contained. I trust that the practice will be discontinued altogether, and that the question may not be presented as to whether such provisions shall become law, or whether the appropriation bills containing them shall be returned disapproved."

Governor Cornell went even further, taking upon himself the responsibility (though without constitutional authority, in my judgment) of vetoing a paragraph of general legislation in an appropriation bill. This paragraph revived a certain corporation, and the Governor said of it:

"It is regarded as unwise and improper legislation to be inserted in an appropriation bill. If the corporation is to be revived, it should be done on its own merits and in a separate bill."

In federal legislation this abuse has been more common than in the legislation of our State, and it has been denounced by

authorities which the Legislature will hardly despise. Perhaps the best official statement of the iniquitous character of this practice is contained in President Hayes' veto of the army appropriation bill on April 30, 1879. It will be remembered that the Democratic House of Representatives at that time insisted upon inserting in this appropriation bill a provision prohibiting the employment of United States troops at the polls, and hoped in this way to coerce the Senate and the President into approving the measure. This action was justified by Mr. Hewitt and other Democratic representatives, on the ground that the liberties of citizens were at stake, and only by this heroic means could they be protected. The Senate yielded, and the bill with this provision went to the President. In his veto message he said:

"The practice of tacking to appropriation bills measures not pertinent to such bills did not prevail until more than forty years after the adoption of the Constitution. It has become a common practice. All parties when in power have adopted it. Many abuses and great waste of public money have in this way crept into appropriation bills. The public opinion of the country is against it. The States which have recently adopted Constitutions have generally provided a remedy for the evil by enacting that no law shall contain more than one subject, which shall be plainly expressed in its title. The Constitutions of more than half of the States contain substantially this provision. The public welfare will be promoted in many ways by a return to the early practice of the government, and to the true principle of legislation, which requires that every measure shall stand or fall according to its own merits. If it were understood that to attach to an appropriation bill a measure irrelevant to the general object of the bill would imperil and probably prevent its final passage and approval, a valuable reform in the parliamentary practice of Congress would be accomplished."

And, again, in the same message, President Hayes said:

"To establish this principle (that is, of trying thus to coerce the Executive) is to make a radical, dangerous and unconstitutional change in the character of our institutions. * * * The Executive will no longer be what the framers of the Constitution intended, an equal and independent branch of the government. * * * To say that a majority of either or both of the Houses of Congress may insist upon the approval of a bill under the penalty of stopping all the operations of the government for want of the necessary supplies, is to deny to the Executive that share of the legislative power which is plainly conferred by the second section of the seventh article of the Constitution. * * * With a firm and conscientious purpose to do what I can to preserve unimpaired the constitutional powers and equal independence, not merely of the Executive, but of every branch of the government which will be imperiled by the adoption of the principle of this bill, I desire to earnestly urge upon the House of

Representatives a return to the wise and wholesome usage of the earlier days of the Republic, which excluded from appropriation bills all irrelevant legislation."

This advice is much more opportune now in connection with this bill than it was when President Hayes uttered it with reference to the army appropriation bill, for if irrelevant general legislation is ever justifiable on an appropriation bill it is when human liberties are attacked, as was the case when United States troops were stationed at the polls for the purpose of intimidating honest voters. The irrelevant legislation in this bill now before me involves merely a question of policy, but that question should stand on its own merits. If, in the judgment of the Legislature it is a wise provision, it should be placed in a separate bill and sent to me for approval. It has no essential relation to the appropriation bill, as have other general provisions relating to the audit of accounts or the expenditure of money, which quite properly belong with the items of appropriation.

So far as the desirability of the irrelevant provision is concerned, there is nothing in particular to say in its favor. If it required the Attorney-General to perform the legal services needed by the various State commissions it might be recommended in the interest of economy; but this it does not do. It merely permits him to designate the counsel and fix their compensation which is to be paid, not out of appropriations for the use of the Attorney-General, but out of those for the various commissions. For obvious reasons it is quite essential that the Commissioner of Agriculture, the Factory Inspector, the Commissioners of Fisheries, the Forest Commission and other commissions, should be able to choose their own counsel promptly as occasion requires, and to pay them according to their service and to the appropriations at hand for this purpose. The Code of Civil Procedure has for many years contained a provision authorizing the Attorney-General to appear for State officers in the collection of penalties, etc., but when the Legislature established these various commissions it thought best to give to each of them the power to employ counsel when necessary, and this authority has seldom been abused. The Legislature has it in its power at any time to prevent any such abuse by withholding from any commission, or by reducing, the amount to be set aside for the employment of counsel.

When these aspects of the question are considered, the conclusion is forced home that the sole purpose of the irrelevant provision against which my objection is directed is to increase the political patronage at the disposal of the party represented by the majority of the Legislature. That such a motive would imperil a bill providing for the support of government shows its desperate character. No other construction of the action of the Legislature is consistent with the facts, for if economy, and not political patronage, had been the aim of the Legislature in insert.

ing this irrelevant provision, the Legislature should have required the Attorney-General to act in person or by representative for the other State officers, and particularly for the twenty-three legislative investigating committees, each of whom has been employing expensive counsel at State expense. That would have afforded an excellent opportunity for applying this theory.

The blame for the defect of this entire bill must rest with the Legislature. After the bill first reached me, and I had discovered this irrelevant and objectionable provision of general legislation, I sent for the leaders of the majority and informed them that I could not sign the bill with that in. They thereupon agreed to withdraw the bill, and gave assurances that the provision would be struck out. The bill was recalled from the Executive for that purpose, but malevolent influences seem to have prevailed in the various conferences which have been held on the subject between the majority leaders during the last ten days, and the bill has come back to me with the obnoxious provision substantially unchanged. My duty, therefore, is to veto the entire bill, and it is returned herewith for the reasons stated above.

ROSWELL P. FLOWER.

Mr. Fish in the chair.

By unanimous consent,

The committee on ways and means introduced a bill entitled "An act making appropriation for support of government" (Int. No. 1498), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 99 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kelcher	Porter	Stein
Babcock	Fairbrother	Kelsey	Prescott	Stevens
Baker	Fish	Kerr	Reilly	Stewart
Berry	Friday	Kern	Robbins	Stone
Braun	Fuller	Kerrigan	Robertson	Terry, C.W
Burtis	Gardiner	Kneeland	Robson	Terry, J.F.
Butts	Gerst	Lawson	Roche	Thompson

Callahan	Glenn	Lee	Ryder, E.L.	Tilton
Carroll	Gould	Lounsbury	Scanlon	Trainor
Cassin	Gray	Marrin	Schoepflin	Tuttle
Chambers	Harrigan	Matthews	Schulz, H	Vacheron
Clark, F.E.	Herrman	McKeon	Seibert	Van Amber
Clark, J. H.	Higbie	Melody	Sheffield	Wells
Conklin	Hoefer	Messiter	Sherwood	Whittet
Coughlin	Horton	Myers	Smith, M.F.	Wieman
Cutler	Hotaling	Nixon	Smith, S.W.	Wilcox
Dean	Houghton	O'Grady	Snyder	Wray
Denniston	Howe	Parkhurst	Stadtfeld	Wyckoff
Dowling	Keck			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sheffield, from the committee of conference, presented the following report :

To the Legislature :

The undersigned, appointed by the Senate and Assembly, as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill, entitled "An act to amend the election law, being chapter 680 of the Laws of 1892," report that they have duly conferred upon said matters and agree to recommend as follows :

(Reference being had to printed bill No. 814.)

Page 12, line 18, after the word "oath" insert the words "or affirmation."

Same page, line 19, after the word "swear" insert the words ("or affirm, as the case may be").

Page 15, line 19, after the word "person" insert the words "nor the emblem or device of any order or fraternity."

Page 17, line 8, after the word "city" insert the words "court or."

Page 20, line 17, after the word "county" insert the words "and each certificate of nomination of a candidate for Senator for the sixth senatorial district shall be filed in the office of the board of election of the city of Brooklyn, and a copy thereof certified by such board shall be filed in the office of the county clerk of the county of Richmond."

Page 22, line 3, strike out the word "twelve" and insert the word "fifteen."

Same page, line 4, strike out the word "eight" and insert the word "thirteen."

Same page, line 6, strike out the word "eight" and insert the word "twelve."

Page 28, line 3, strike out the words "at the upper left-hand corner" and insert the words "across the top."

Same page, line 4, strike out the words "four inches in width and."

Same page, line 8, after the word "thereof" insert the words "at the upper left-hand corner."

Same page, line 13, after the word "stub" insert the words "at the upper left-hand corner."

Same page, line 23, strike out the word "circle" and insert the words "voting space."

Same page, line 25, after the word "cross" insert the letter "X."

Page 29, line 2, strike out the word "circle" and insert the words "voting space."

Same page, line 17, strike out the word "columns" and insert the word "column," and immediately after the said word "column" insert the words "and within the parallel lines of each party column shall be a blank space two and one-half inches in width and one inch in height, to be known as the voting space, in which voting space."

Same page, line 17, strike out all after the word "column," and the words "in diameter in which" in line 18."

Page 35, line 16, after the word "to" insert the words "fifty per cent of."

Page 45, strike out the word "circle" and insert the words "voting space."

Same page, line 9, after the word "column" insert the words "or (3) he may make a cross (X) mark, the mark in the voting space at the head of any party column and erase such name or names in that column as he does not desire to vote for."

Page 7, line 11, after the word "ink" insert the word "mucilage."

That all Senate amendments be concurred in except as hereinbefore provided.

All of which is respectfully submitted.

CHARLES T. SAXTON,
EDMUND O'CONNOR,
JACOB A. CANTOR,
Senate Committee.

JAMES R. SHEFFIELD,
HOWARD THORNTON,
JAMES M. E. O'GRADY,
EDGAR L. RYDER,
ARTHUR C. BUTTS,
Assembly Committee.

Debate was had thereon, when

Mr. Sheffield moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative.

{	AYES	74	}
	NOES	40	

Those who voted in the affirmative, were

Ainsworth	Fish	Keck	Robbins	Taylor
Babcock	Friday	Kelsey	Robertson	Terry, C.W.
Baker	Fuller	Kern	Robson	Terry, J.F.
Braun	Gardiner	Kneeland	Ryder, E.L.	Thornton
Brownell	Gerst	Lawson	Scanlon	Tilton
Burtis	Glenn	Lee	Schoepflin	Tuttle
Chambers	Gould	Lounsbury	Schulz, F.F.	Vacheron
Clark, F.E.	Gray	Matthews	Schulz, H	Van Amber
Clark, J. H.	Higbie	Messiter	Sheffield	Wells
Conklin	Hobbie	Nixon	Sherwood	Whittet
Cutler	Hoefer	O'Grady	Smith, M.F.	Wieman
Dean	Horton	Parkhurst	Smith, S.W.	Wray
Denniston	Hotaling	Porter	Snyder	Wyckoff
Eldredge	Houghton	Prescott	Stewart	Speaker
Fairbrother	Howe	Rider, J.J.	Stone	

Those who voted in the negative, were

Berry	Corrigan	Hoysradt	McDermott	Schillinger
Brennan	Dinkelspiel	Keleher	McKeon	Southworth
Bush	Dowling	Kerr	Melody	Stadtfield
Butts	Foley	Kerrigan	Myers	Stein
Callahan	Gleason	La Petra	O'Donnell	Sulzer
Carroll	Harrigan	Lasch	Reilly	Tobin
Cassin	Hennessey	Loonan	Robinson	Trainor
Chapman	Herrman	Marrin	Roche	Vehslage

Ordered, That the Clerk return said bill to the Senate, with a message that they have agreed to the report of the committee of conference thereon.

The Senate bill (No. 1081) entitled "An act to amend chapter 361 of the Laws of 1863" (Rec. No. 480), having been announced for a second reading,

Mr. Sulzer moved to amend said bill as follows:

Section 1, line 2, after the word "sixty-three" insert the words "entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania, as subsequently amended.'"

Amend the title so as to read as follows:

"An act to amend chapter 361 of the Laws of 1863, entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania, as subsequently amended.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time.

On motion of Mr. Sulzer, said bill was ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 2 }

Those who voted in the affirmative, were

Alnsworth	Eldredge	Keck	O'Grady	Stein
Babcock	Fairbrother	Keenan	Parkhurst	Stevens
Baker	Finnigan	Kelsey	Plant	Stewart
Berry	Foley	Kerr	Prescott	Stone
Braun	Friday	Kern	Reilly	Taylor
Brennan	Fuller	Kneeland	Robbins	Terry, C.W.
Burtis	Gardiner	La Petra	Robertson	Terry, J.F.
Bush	Gerst	Lee	Robson	Thornton
Butts	Glenn	Lounsbury	Roche	Tilton
Cain	Gould	Marrin	Scanlon	Tobin
Cassin	Gray	Matthews	Schoepflin	Tuttle
Chapman	Herrman	McKeon	Schulz, F.F.	Vacheron
Clark, J. H.	Higbie	McNamee	Seibert	Van Amber
Corrigan	Hobbie	Melody	Sheffield	Wells
Cutler	Hoefler	Messiter	Smith, M.F.	Whittet
Dean	Horton	Mittnacht	Smith, S.W.	Wieman
Denniston	Houghton	Nixon	Snyder	Wilcox
Douglas	Howe	O'Donnell	Stadtfeld	Wyckoff

Those who voted in the negative, were

Fish **Lawson**

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 969) entitled "An act in relation to the police force in Richmond county" (Rec. No. 462), was read the second time.

On motion of Mr. Friday, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 36 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Howe	Robbins	Terry, C.W.
Babcock	Fairbrother	Keck	Robertson	Terry, J.F.
Baker	Fish	Kelsey	Robson	Thompson
Braun	Friday	Kern	Scanlon	Thornton
Brownell	Fuller	Kneeland	Schoepflin	Tilton
Burtis	Gardiner	Lawson	Schulz, H	Tuttle
Carroll	Gerst	Lee	Seibert	Vacheron
Cassin	Glenn	Lounsbury	Sheffield	Van Amber
Chambers	Gould	Matthews	Sherwood	Wells
Chapman	Gray	Nixon	Smith, M.F.	Whittet
Clark, F.E.	Higbie	O'Grady	Smith, S.W.	Wieman
Conklin	Hobbie	Parkhurst	Snyder	Wilcox
Cutler	Hoefer	Porter	Stewart	Wray
Dean	Horton	Prescott	Stone	Wyckoff
Denniston	Houghton	Rider, J.J.	Taylor	Speaker

Those who voted in the negative, were

Berry	Gleason	Kerrigan	Melody	Southworth
Brennan	Harrigan	La Fetra	Mittnacht	Stadtfeld
Bush	Hennessy	Lasch	Plant	Stein
Butts	Herrman	Loonan	Reilly	Sulzer
Corrigan	Keenan	Marrin	Robinson	Tobin
Coughlin	Keleher	McKeon	Ryder, E.L.	Trainor
Dowling	Kerr	McNamee	Schillinger	Vehslage
Finnigan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1456) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide rapid transit railways in cities of over one million inhabitants'" (Int. No. 1210), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, section 1, line 4, after the word "follows" insert the following:

“§ 1. In any city having more than 1,000,000 inhabitants according to the last preceding national or State census the Governor may, at any time after the passage of this act, appoint from persons, residents of such city, who shall be commissioners of rapid transit under the provisions of this act, and shall constitute a board of rapid transit railroad commissioners in and for such city. They shall have and exercise the specific powers and authority conferred by this act and such other and necessary powers as may be requisite to the efficient performance of the duties of their office. Not more than two of said commissioners shall at any time belong to the same political party, or be of the same political faith and opinion on State and national issues. Two of said commissioners shall belong to and be of the same political faith and opinion on State and national issues as the political party which shall at the last preceding general election for State officers have cast the greatest number of votes in the city of New York, and the other two commissioners shall belong to and be of the same political faith and opinion on State and national issues as the party which shall at such election have cast the next greatest number of votes for such officers. In case of the removal, resignation or death of any rapid transit railway commissioner, his successor shall, within ten days thereafter, be appointed by the Governor for the remainder of the unexpired term, and the successor so appointed shall be of like political faith and opinion and belong to the same political party as the commissioner whose removal, resignation or death shall have created such vacancy; and at the expiration of the term of office of any commissioner, the Governor, in appointing commissioners for the full term, shall not appoint more than two commissioners from the same political party, and two of such commissioners shall belong to the political party polling the highest number of votes as aforesaid, and the other two of such commissioners shall belong to the political party polling the next highest number of votes, as aforesaid:

Page 2, lines 14 and 15, strike out the words “other than the mayor and comptroller or other chief financial officer of such city.”

Page 3, line 3, strike out the word “four” and insert the word “three.”

Page 8, line 17, strike out the word “six” and insert the word “four.”

Page 11, lines 13 and 14, strike out the words “other than the mayor and comptroller or other chief financial officer of such city.”

Page 37, line 21, strike out the word “six” and insert the word “three.”

Page 4, line 26, strike out the words “said board” and insert the word “it.”

Same page, same line, after the word “determined” insert the

words "by vote of the people as provided by sections 12 and 13 of this act."

Same page, same line, after the word "have" insert the word "been."

Page 7, line 13, strike out the word "people" and insert the words "mayor, aldermen and commonalty of the city of New York, or such other appropriate corporate title of said city."

Page 12, strike out all of line 1, except the number of the section.

Same page, line 2, strike out the words "at any time determine" and insert the words "in case the people shall determine by vote as hereinafter provided in sections 12 and 13 of this act."

Same page, line 3, strike out the words "and upon the," and in the following line strike out the words "adoption of a resolution therefor" and insert the words "then and in that event."

Page 37, line 10, after section 63 and before the word "the" insert the words "in case it shall be determined by vote of the people, as provided by sections 12 and 13 of this act, to construct by and at the city's expense, then and in that event."

Page 38, between the lines 25 and 26, add the following as sections 12 and 13 :

"§ 12. The said board of rapid transit railway commissioners shall cause the question, whether such railway or railways shall be constructed by the city and at the public expense, to be submitted to the vote of the qualified electors of the city within which such railway or railways is or are to be constructed, and to that end it shall be the duty of the said board, after completion of the detailed plans and specifications, as required by the act hereby amended, at least thirty days prior to the next general election, to file with the public officer or officers within the county in which such city is located, who may be charged with the duty of printing the ballots to be used at such election, a request that separate ballots be printed and supplied to such electors, one-half in number of which shall read: 'For municipal construction of rapid transit road,' and the other half in number of said ballots shall read, 'against municipal construction of rapid transit road.' Upon such request being so filed, such ballots shall be printed and supplied to such electors at such general election, and separate ballot boxes shall be provided for the reception of the same in each election district within such city, and the provisions of chapter 680 of the Laws of 1892, entitled 'An act in relation to the elections constituting chapter 6 of the general laws,' and any act or acts amendatory thereof or supplemental thereto shall apply thereto as far the nature of the case may allow. No ballot which may be provided under this section shall be deemed invalid by reason of any error in dimensions, style of printing, or of formal defect, or through having been deposited in the wrong ballot-box, but all of such ballots shall be canvassed and returned as if such formal defect had not existed,

or as they had been deposited in the box provided for the purpose. Upon the canvass of such votes by the board of county canvassers of the county in which such city is located, it shall be the duty of said board to file with the county clerk of said county a statement which shall declare the total number of votes cast in said city 'for municipal construction of rapid transit road,' and the total number so cast therein 'against municipal construction of rapid transit road.' And the said railway or railways shall be constructed by the said city and at the public expense, if it shall be found from such statements so filed that there is a majority of the votes so cast in favor of such municipal construction.

"§ 13. In case the majority of votes cast at such election shall be in favor of such municipal construction of said railway or railways, it shall be the duty of said rapid transit railway commissioners within thirty days after the official declaration of the said vote to proceed to construct the said railway or railways, and to make and let all contracts required for the performance of the work necessary to be done and performed in and about the construction thereof. All such contracts must, before execution, be approved as to form by the counsel to the corporation, or other chief legal adviser for said city."

Page 38, line 26, change section 12 to section 14, and after the word "immediately" insert the words "except that the building of said road, or the sale of the franchise as provided for in sections 7 and 34 of the act hereby amended, as so amended, is postponed until, and made dependent upon, the determination of that question by the vote of the people as called for by section 12 and 13 of this act."

Mr. Sheffield moved to non-concur in said amendments, and that a committee of conference be appointed thereon, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Sheffield, Fish, Ainsworth, Hennessy and Reilly.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

The Senate bill (No. 1048) entitled "An act to provide for the annexation to the city of Brooklyn of the town of Gravesend, in Kings county" (Rec. No. 404), having been announced for a second reading,

Mr. Finnigan moved to amend the same as follows :

Page 7, line 16, after the word "one" strike out the words "or more;" also, change the word "assessors" to "assessor," and strike out the words "not exceeding two in number."

Same page, line 19, strike out the words "or assessors."

Same page, line 23, strike out the words "one of."

Same page, line 24, change the word "assessors" to "assessor."

Page 8, line 23, at the end of section 7, add the following :

"The regular policemen holding appointments from the board of police commissioners of the said town on January 1, 1894, shall be appointed on the police force of the city of Brooklyn without a civil service examination, on the said force of said city; and they shall be credited by the police department of the city of Brooklyn with as long a term of service as they are entitled to as regular policemen under the police departments of the city of Brooklyn and of the town of Flatbush, as shown by the records of said departments. The salaries of said policemen shall be the same as those now received by policemen of the same grade under the police department of the city of Brooklyn; and said policemen shall be entitled to all the rights, privileges and benefits of what kind soever now enjoyed by policemen under the police department of said city; and the said police department of the town of Gravesend shall become a police precinct of the city of Brooklyn."

Mr. Speaker resumed the chair.

Debate being had,

Mr. Hennessy moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Finnigan, and it was determined in the negative.

On motion of Mr. Friday, said bill was ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 7 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keck	Nixon	Southworth
Babcock	Finnigan	Keenan	O'Grady	Stadtfeld
Baker	Fish	Keleher	Parkhurst	Stein

Braun	Foley	Kelsey	Plant	Stone
Brennan	Friday	Kerr	Porter	Sulzer
Brownell	Fuller	Kern	Reilly	Taylor
Bush	Gardiner	Kneeland	Rider, J.J.	Terry, C.W.
Butts	Gerst	La Fetra	Robbins	Thompson
Carroll	Gleason	Lasch	Robertson	Thornton
Chambers	Glenn	Lawson	Robinson	Tilton
Chapman	Gould	Lee	Robson	Tobin
Clark, F.E.	Gray	Lounsbury	Ryder, E.L.	Trainor
Clark, J. H.	Hennessey	Loonan	Scanlon	Tuttle
Conklin	Herrman	Marrin	Schoepflin	Vacheron
Corrigan	Higbie	Matthews	Schulz, H	Van Amber
Coughlin	Hobbie	McDermott	Seibert	Vehslage
Cutler	Hoefer	McKeon	Sheffield	Wells
Dean	Hotaling	McNamee	Smith, M.F.	Whittet
Dinkelspiel	Houghton	Messiter	Smith, S.W.	Wray
Dowling	Howe	Mitnacht	Snyder	Speaker
Eldredge	Hoysradt			

Those who voted in the negative, were

Callahan	Myers	Schillinger	Schulz, F.F.	Wieman
Kerrigan	Roche			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ainsworth moved that when the House takes a recess at 1.30 o'clock it be to meet again from 4 until 6, and from 8 during the pleasure of the House, and that the afternoon session be devoted to the calendar and the evening session to the general business of the session.

Mr. Sulzer moved to amend said motion by confining the sessions, until the close of the session, to the calendar and to messages from the Senate conveying amendments or conference reports.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sulzer, and it was determined in the negative.

{ AYES 31 }
{ NOES 67 }

Those who voted in the affirmative, were

Berry	Dowling	La Fetra	Mitnacht	Stadtfeld
Bush	Finnigan	Lasch	Myers	Stein
Butts	Gleason	Loonan	Robinson	Sulzer

Cassin	Harrigan	Marrin	Roche	Tobin
Corrigan	Keenan	McDermott	Schillinger	Trainor
Coughlin	Keleher	McKeon	Southworth	Vehslage
Dinkelspiel				

Those who voted in the negative, were

Ainsworth	Fairbrother	Kelsey	Robbins	Terry, J.F.
Babcock	Fish	Kerr	Robertson	Thompson
Baker	Fuller	Kern	Robson	Thornton
Braun	Gardiner	Kneeland	Scanlon	Tilton
Brownell	Gerst	Lawson	Schoepflin	Tuttle
Carroll	Glenn	Lee	Schulz, H	Vacheron
Chambers	Gould	Lounsbury	Seibert	Van Amber
Clark, F.E.	Hobbie	Matthews	Sheffield	Wells
Clark, J. H.	Hoefer	Messiter	Smith, M.F.	Whittet
Conklin	Horton	Nixon	Smith, S.W.	Wieman
Cutler	Hotaling	O'Donnell	Snyder	Wilcox
Dean	Houghton	Porter	Stone	Wray
Denniston	Howe	Rider, J.J.	Terry, C W.	Wyckoff
Eldredge	Keck			

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ainsworth, and it was determined in the affirmative.

By unanimous consent.

Mr. Ainsworth introduced a bill entitled "An act to legalize and confirm certain resolutions for extra printing, passed jointly or separately by the Senate and Assembly of 1894" (Int. No. 1499), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Parkhurst	Stewart
Babcock	Dowling	Keck	Porter	Stone
Baker	Eldredge	Keenan	Prescott	Sulzer

Berry	Fairbrother	Keleher	Rider, J.J.	Taylor
Braun	Finnigan	Kelsey	Robbins	Terry, C.W.
Brennan	Fish	Kerr	Robertson	Terry, J.F.
Brownell	Foley	Kern	Robson	Thompson
Burtis	Friday	Kerrigan	Roche	Thornton
Bush	Fuller	Kneeland	Scanlon	Tilton
Butts	Gardiner	La Petra	Schoepfin	Tobin
Carroll	Gerst	Lasch	Schulz, F.F.	Trainor
Cassin	Gleason	Lawson	Schulz, H	Tuttle
Chambers	Glenn	Lee	Seibert	Vacheron
Chapman	Gould	Lounsbury	Sheffield	Van Amber
Clark, F.E.	Gray	Matthews	Sherwood	Vehslage
Clark, J. H.	Herrman	McDermott	Smith, M.F.	Wells
Conklin	Higbie	McKeon	Smith, S.W.	Whittet
Corrigan	Hobbie	Melody	Snyder	Wieman
Cutler	Hoefer	Messiter	Southworth	Wilcox
Davidson	Horton	Mittnacht	Stadtfeld	Wray
Dean	Hotaling	Nixon	Stein	Wyckoff
Denniston	Houghton	O'Grady		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. J. H. Clark, the Senate bill (No. 1077) entitled "An act to authorize John Rigerman, Jr., of the town of Lockport, to sell and convey the cemetery grounds situated on the farm owned by him in said town" (Rec. No. 477), was referred to the committee on rules.

On motion of Mr. Wray, the following entitled Senate bills were referred to the committee on rules:

"An act to repeal section 9 of chapter 347 of the Laws of 1880, entitled 'An act to provide for the reporting of appointments or commitments to the benevolent institutions of the State, excepting the county of Kings,' so as to make the provisions of said act applicable to every county of the State." (No. 798, Rec. No. 390.)

"An act in relation to the commitment, care and support of destitute and delinquent children in the county of Kings." (No. 799, Rec. No. 382.)

"An act to provide for the completion of the armory for the Thirteenth regiment in the city of Brooklyn." (No. 900, Rec. No. 329.)

On motion of Mr. Taylor the Senate bill (No. 735) entitled "An act to repeal section 4 of title 18 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the

city of Brooklyn,' in relation to contracts for supplying the public lamps with gas " (Rec. No. 253), was referred to the committee on rules.

On motion of Mr. Porter, the following entitled Senate bills were laid aside and referred to the committee on rules:

"An act to amend title 5 of chapter 18 of the Code of Civil Procedure in relation to, and to provide for, disposition of decedent's real property for the payment of debts, funeral expenses and certain liens thereon." (No. 788, Rec. No. 240.)

"An act to amend section 1380 of the Code of Civil Procedure." (No. 653, Rec. No. 239.)

"An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claim of Patrick Gawkins and the claim of the estate of Guiles Hawley, deceased, against the State." (Not printed, Rec. No. 368.)

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April* 26, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1140, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' and acts amendatory thereof, in relation to the enforcement and collection of taxes in and for the village of Fairhaven, in the county of Cayuga." (Int. No. 1104.)

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Keck	Porter	Stone
Babcock	Denniston	Keleher	Prescott	Sulzer
Baker	Dinkelspiel	Kelsey	Reilly	Taylor
Braun	Douglas	Kerr	Rider, J.J.	Terry, C.W.
Brennan	Eldredge	Kern	Robbins	Terry, J.F.

Brownell	Fairbrother	Kneeland	Robertson	Thompson
Burtis	Fish	La Fetra	Robinson	Thornton
Bush	Foley	Lasch	Robson	Tilton
Butts	Friday	Lawson	Ryder, E.L.	Tobin
Callahan	Fuller	Lee	Scanlon	Trainor
Carroll	Gardiner	Lounsbury	Schoepflin	Tuttle
Cassin	Gerst	Matthews	Schulz, F.F.	Vacheron
Chambers	Glenn	McDermott	Schulz, H	Van Amber
Chapman	Gould	McNamee	Seibert	Vehslage
Clark, F.E.	Herrman	Melody	Sherwood	Wells
Clark, J. H.	Higbie	Messiter	Smith, M.F.	Whittet
Conklin	Hobbie	Mitnacht	Smith, S.W.	Wieman
Corrigan	Hoefler	Nixon	Snyder	Wilcox
Coughlin	Horton	O'Grady	Southworth	Wray
Cutler	Hotaling	Parkhurst	Stadtfeld	Wyckoff
Davison	Howe	Plant	Stein	

On motion of Mr. Wilcox, and by unanimous consent, said bill was amended as follows :

Strike out in the title the words "To amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' and acts amendatory thereof."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 100 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Plant	Stein
Babcock	Dinkelspiel	Keenan	Porter	Stone
Baker	Dowling	Keleher	Prescott	Sulzer
Berry	Eldredge	Kelsey	Rider, J.J.	Taylor
Braun	Fairbrother	Kern	Robbins	Terry, C.W.
Brownell	Fish	Kneeland	Robertson	Terry, J.F.
Burtis	Friday	La Fetra	Robinson	Thompson
Bush	Fuller	Lasch	Robson	Thornton
Butts	Gerst	Lawson	Roche	Tilton
Callahan	Glenn	Lee	Scanlon	Tobin
Carroll	Gould	Lounsbury	Schoepflin	Trainor
Cassin	Gray	Marrin	Schulz, F.F.	Tuttle
Chambers	Herrman	Matthews	Schulz, H	Vacheron
Clark, F.E.	Higbie	McDermott	Seibert	Van Amber
Clark, J. H.	Hobbie	McKeon	Sheffield	Vehslage

Conklin	Hoefler	Melody	Smith, M.F.	Wells
Corrigan	Horton	Messiter	Smith, S.W.	Whittet
Cutler	Hotaling	Nixon	Snyder	Wieman
Davidson	Houghton	O'Grady	Southworth	Wilcox
Dean	Howe	Parkhurst	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the Senate bill (not printed) entitled "An act to revise the charter of the city of Elmira" (Rec. No. 472), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 820) entitled "An act to amend chapter 31 of the Laws of 1890, entitled 'An act to amend chapter 583 of the Laws of 1888, entitled An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to actions and special proceedings against the city of Brooklyn, and so as to provide for the adjustment of claims against said city" (Int. No. 754), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Wieman, the following entitled Senate bills were referred to the committee on rules:

"An act to amend section 30 of title 3 of chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany.'" (No. 791, Rec. No. 249.)

"An act directing the Superintendent of Public Works to surrender to the city of Buffalo, for park purposes, certain lands in said city belonging to the United States, and now in the possession of the State of New York, and to authorize said superintendent to purchase other lands to be used for the storage of property belonging to 'the canal department.'" (No. 1114, Rec. No. 513.)

The Senate sent for concurrence the following entitled bill:

"An act to extend the time for the completion of the Hudson Tunnel Railway" (No. 1031, Rec. No. 505), which was read the first time.

On motion of Mr. Cutler, said bill was referred to the committee on rules.

Mr. Prescott, from the committee of conference, submitted the following report:

To the Legislature:

The undersigned, appointed as members of a committee of conference relative to the matters of difference arising between the two Houses upon Assembly bill No. 860, entitled "An act to open the Fulton Chain of Lakes and the connecting thereof as a public highway," report that they have duly conferred upon the matters of difference and recommend as follows:

That the amendments adopted by the Senate were proper and that said bill ought to be passed in the form and manner in which it was passed by the Senate.

Respectfully submitted,

H. G. COGGESHALL,
H. J. DONALDSON,
M. J. COFFEY,

Senate Committee.

W. C. PRESCOTT,
GEORGE A. STEPHENS,
EUGENE A. VACHERON,
JOHN A. HENNESSY,
MOSES HERRMAN,

Assembly Committee.

Dated *April 26, 1894.*

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Parkhurst	Stadtfeld
Babcock	Fish	Kelsey	Plant	Stein
Baker	Foley	Kerr	Porter	Stone
Berry	Friday	Kern	Prescott	Terry, C.W.
Braun	Fuller	Kneeland	Rider, J.J.	Terry, J.F.
Brennan	Gerst	La Fetra	Robbins	Thornton
Brownell	Glenn	Lasch	Robertson	Tilton
Burtis	Gould	Lawson	Robson	Tobin
Carroll	Gray	Lee	Roche	Trainor
Cassin	Herrman	Lounsbury	Scanlon	Tuttle
Chapman	Higbie	Matthews	Schoepflin	Vacheron
Clark, F.E.	Hobbie	McDermott	Schulz, F.F.	Van Amber
Clark, J. H.	Hoefler	McKeon	Schulz, H	Wells
Conklin	Horton	Melody	Sheffield	Whittet

Cutler	Hotaling	Messiter	Smith, M. F.	Wieman
Davidson	Houghton	Myers	Smith, S.W.	Wilcox
Dean	Howe	Nixon	Snyder	Wyckoff
Denniston	Keck	O'Grady	Southworth	Speaker
Eldredge				

Those who voted in the negative, were

Bush	Dowling	Sulzer
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the conference committee thereon.

On motion of Mr. J. F. Terry, the bill (No. 984) entitled "An act to fix and regulate the rate of fare to be charged by the Troy City Railway Company" (Int. No. 895), was referred to the committee on rules.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' and the several acts amendatory thereof" (not printed, Rec. No. 502), which was read the first time and referred to the committee on rules.

"An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany'" (No. 1112, Rec. No. 503), which was read the first time and referred to the committee on rules.

"An act to enable owners of lands which have been subdivided by map into lots or plots to disclaim and abandon the subdivision thereof" (No. 941, Rec. No. 501), which was read the first time.

On motion of Mr. Stadtfeld, and by unanimous consent, said bill was substituted for Assembly bill No. 1744, Int. No. 1433, same title and subject, and was ordered to a third reading and referred to the committee on rules.

Mr. Braun, from the committee on printed and engrossed bills reported as correctly engrossed the bills entitled as follows:

"An act to enable owners of lands which have been subdivided by map into lots or plots to disclaim and abandon the subdivision thereof." (Int. No. 1423.)

"An act to amend chapter 334 of the Laws of 1890, entitled 'An act to incorporate the New York and New England agricultural and Industrial Society.'" (Int. No. 1447.)

“An act to extend the time for the completion of the Hudson Tunnel Railway.” (Int. No. 1426.)

“An act to change the name of the Home Benefit Society.” (Int. No. 1468.)

“An act to amend chapter 101 of the Laws of 1892, entitled ‘An act to incorporate the East River Bridge Company.’” (Int. No. 400.)

“An act providing for the sale of a certain piece of land belonging to the State of New York.” (Int. No. 1077.)

“An act to exempt and release the real property of the exempt firemen’s association of Long Island City from taxation.” (Int. No. 668.)

“An act to amend chapter 183 of the Laws of 1873, entitled ‘An act to drain and improve certain lands of Thomas Hunt, lying in the Eighth ward of the city of Brooklyn, between the Third avenue and New York bay and Forty-fourth and Forty-ninth streets, and to alter the commissioners’ map of said city in conformity thereto,’ passed April 8, 1873.” (Int. No. 1114.)

“An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo.” (Int. No. 1377.)

“An act to provide for the sale of the privilege of dumping earth and rock in such parts of the public parks of the city of New York as may require to be filled in.” (Int. No. 1396.)

“An act to prevent the construction or operation of a railroad in South Ninth street, between Wythe avenue and Broadway, in the city of Brooklyn.” (Int. No. 1405.)

“An act making an appropriation to pay and provide for payment of the cost and expense in the erection of a monument on the island of Key West, State of Florida, to the memory of the members of the Ninetieth Regiment, New York State Volunteers, who died on that island, from yellow fever, in 1862.” (Int. No. 1201.)

“An act to amend chapter 105 of the Laws of 1891, entitled ‘An act to revise the charter of the city of Buffalo.’” (Int. No. 1064.)

“An act to further inquire into the existence of tuberculosis in cattle.” (Int. No. 1489.)

“An act to further amend chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New

York,' relating to a pension fund for the police department of said city." (Int. No. 1030.)

"An act to amend chapter 307 of the Laws of 1879, entitled 'An act to provide for the summary investigation of unlawful or corrupt expenditures by officers of towns or incorporated villages, and for restraining the same.'" (Int. No. 1481.)

"An act to amend chapter 523 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting the public interest in the city of Brooklyn.'" (Int. No. 366.)

"An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,' relating to the superintendent of schools." (Int. No. 1413.)

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

"An act to authorize the village of Johnstown, in the county of Fulton, to issue its bonds for the payment of existing indebtedness." (No. 1712, Int. No. 1469.)

"An act to authorize religious corporations organized under the provisions of chapter 60 of the Laws of 1813, or of any acts amendatory thereof or supplementary thereto, or under any special act or charter, to convey their property to the Brooklyn Church Society of the Methodist Episcopal Church." (No. 1705, Int. No. 1336.)

"An act to provide for the establishment of a home for the aged dependent veteran and his wife, veterans' mothers, widows and army nurses, residents of New York." (No. 1421, Int. No. 487.)

"An act for the relief of certain churches in the Twenty-third ward of the city of New York." (No. 1556, Int. No. 1358.)

"An act making an appropriation to pay for the construction of a sewer under the Oswego canal in the village of Fulton, N. Y." (No. 97, Int. No. 102.)

"An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the claims against the State of New York, of James Brennan and other employes of the State upon public works, for unpaid balances due for services rendered, under chapter 380, Laws of 1889, from June 6, 1889, to April 29, 1890, and to make an award therefor." (No. 1057, Int. No. 946.)

“An act to reappropriate the unexpended balance of the sum of \$8,000, appropriated by chapter 705 of the Laws of 1892, entitled ‘An act to authorize the building of a dyke and the removal of a bar for the protection of property adjacent to the Chemung river, in the city and town of Corning, in the county of Steuben, and making an appropriation therefor.’” (No. 982, Int. No. 893.)

“An act to amend the statutory construction law in relation to provisions of law which are repealed and re-enacted.” (No. 1088, Int. No. 978.)

“An act to enable the city of Niagara Falls to acquire such lands as may be necessary to extend Pierce avenue in said city, from Whirlpool avenue easterly to Sugar street.” (No. 441, Int. No. 418.)

“An act for the relief of Sophia G. Vandervoort, widow of Charles Vandervoort, deceased, her successors or assigns.” (No. 1167, Int. No. 1034.)

“An act to amend chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ relative to the fire department.” (No. 397, Int. No. 52.)

“An act to amend chapter 583 of the Laws of 1888, entitled ‘An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,’ by creating a new department to be known as the department of street cleaning.” (No. 1605, Int. No. 1243.)

“An act to amend chapter 583 of the Laws of 1888, entitled ‘An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,’ relating to police justices and police courts.” (No. 993, Int. No. 907.)

“An act to authorize the appointment of incorporators of charitable or benevolent corporations.” (No. 980, Int. No. 891.)

“An act making appropriation for the construction and repair of a stone wall in the village of Fort Edward, located on South Broadway near the aqueduct of the Champlain canal.” (No. 1200, Int. No. 1069.)

“An act in relation to local improvements in the city of Brooklyn, and to provide by the issue of bonds the means required therefor.” (No. 1082, Int. No. 972.)

"An act to amend the Penal Code, in relation to autopsies in insane asylums and hospitals." (No. 597, Int. No. 562.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' with reference to the appointment of police commissioners in said city." (No. 971, Rec. No. 331.)

"An act to provide for the construction of a hoist or lift bridge over the Erie canal at Adam street, in the city of Lockport, and making an appropriation therefor." (No. 728, Rec. No. 288.)

"An act to amend chapter 558 of the Laws of 1893, entitled 'An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the mayor, aldermen and commonalty of the city of New York, for assessments affecting property in the city of New York, and directing the comptroller to make such assessments accordingly.'" (Not printed, Rec. No. 233.)

"An act for the relief of Henry H. Brown." (No. 199, Rec. No. 204.)

"An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport.'" (No. 874, Rec. No. 319.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill (No. 1325) entitled "An act to provide for the payment of certain claims against the city of Brooklyn" (Int. No. 1169), with a message that they have concurred in the passage of the same, with the following amendment:

Page 1, line 7, after the word "eighty-eight" insert the words "or when said certificate if made shall have been for an inadequate amount."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Mitnacht	Southworth
Babcock	Dinkelspiel	Howe	Nixon	Stadtfeld
Baker	Douglas	Keck	O'Grady	Stein
Berry	Eldredge	Keenan	Parkhurst	Stone
Braun	Fairbrother	Keleher	Porter	Sulzer
Brennan	Fish	Kelsey	Prescott	Taylor
Brownell	Foley	Kerr	Rider, J. J.	Terry, C. W.
Bush	Friday	Kern	Robbins	Terry, J. F.
Butts	Fuller	Kerrigan	Robertson	Thornton
Carroll	Gardiner	Kneeland	Robson	Tilton
Cassin	Gerst	La Fetra	Roche	Trainor
Chambers	Glenn	Lasch	Scanlon	Tuttle
Chapman	Gould	Lawson	Schoepflin	Vacheron
Clark, F. E.	Gray	Lee	Schulz, F. F.	Van Amber
Clark, J. H.	Herrman	Lounsbury	Schulz, H.	Vehslage
Conklin	Higbie	Marrin	Siebert	Wells
Corrigan	Hobbie	Matthews	Sherwood	Whittet
Cutler	Hoefler	McNamee	Smith, M. F.	Wieman
Davidson	Horton	Melody	Smith, S. W.	Wilcox
Dean	Hotaling	Messiter	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the following entitled bills:

"An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York.'" (No. 690, Int. No. 648.)

"An act to amend chapter 385 of the Laws of 1870, entitled 'An act to regulate the hours of labor of mechanics, workingmen and laborers in the employ of the State, or otherwise engaged on public works.'" (No. 861, Int. No. 36.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 914) entitled "An act to amend the county law, by providing that supervisors shall receive compensation while engaged in an investigation or other duty lawfully committed to them by the board" (Int. No. 583), with a message that they have non-concurred in the passage of the same.

The Senate returned the bill (No. 1053) entitled "An act to incorporate the American Baptist Missionary Union" (Int. No. 737), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 886) entitled "An act concerning the probate of wills of non-residents" (Int. No. 815), with a message that they have agreed to the report of the committee of conference thereon."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1209) entitled "An act to amend the game law" (Int. No. 1100), with a message that they have agreed to the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1411) entitled "An act to lay out and establish Fort Washington park in the Twelfth ward of the city of New York" (Int. No. 943), with a message that they have agreed to the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (not printed), entitled "An act appointing a committee to examine into the tenement-house question in the city of New York and to report to the next Legislature" (Int. No. 1453), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The hour having arrived, the House took a recess until 4 o'clock.

FOUR O'CLOCK P. M.

The House again met.

Mr. Speaker announced the calendar of the day.

The Senate bill (No. 865) entitled "An act to amend section 3374 of the Code of Civil Procedure, relating to the abandonment and discontinuance of condemnation proceedings" (Rec. No. 405), having been announced for a second reading,

Mr. Lawson moved to strike out all the amendments adopted by the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 84 }
{ NOES 15 }

Those who voted in the affirmative, were

Berry	Finnigan	Keck	Messiter	Smith, M.F.
Brennan	Fish	Keleher	Mittnacht	Smith, S.W.
Brownell	Foley	Kelsey	O'Donnell	Southworth
Burtis	Friday	Kern	O'Grady	Stein
Cahill	Fuller	Kerrigan	Porter	Stewart
Cain	Gardiner	Kneeland	Reilly	Stone
Callahan	Gleason	La Fetra	Rider, J.J.	Terry, J.F.
Carroll	Gould	Lawson	Robbins	Thornton
Cassin	Harrigan	Lee	Robertson	Tilton
Conklin	Hennessy	Lounsbury	Ryder, E.L.	Tobin
Corrigan	Hobbie	Loonan	Scanlon	Trainor
Coughlin	Hoefer	Marrin	Schillinger	Tuttle
Davidson	Horton	Matthews	Schoepflin	Van Amber
Dean	Hotaling	McDermott	Schulz, F.F.	Vehslage
Denniston	Houghton	McKeon	Seibert	Wieman
Dowling	Howe	McNamee	Sheffield	Wyckoff
Eldredge	Hoysradt	Melody	Sherwood	

Those who voted in the negative, were

Ainsworth	Braun	Chapman	Gray	Robinson
Babcock	Butts	Clark, J. H.	Herrman	Sulzer
Baker	Chambers	Dinkelspiel	Higbie	Vacheron

Said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 8 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Plant	Stewart
Babcock	Fish	Kelsey	Porter	Stone
Baker	Foley	Kerr	Reilly	Sulzer
Berry	Friday	Kern	Rider, J.J.	Taylor
Braun	Fuller	Kerrigan	Robbins	Terry, C.W.
Brownell	Gerst	Kneeland	Robertson	Terry, J.F.
Burtis	Gleason	La Fetra	Robinson	Thompson
Cain	Gould	Lasch	Robson	Thornton

Carroll	Gray	Lawson	Ryder, E.L.	Tilton
Chambers	Harrigan	Lee	Scanlon	Tobin
Chapman	Hennessey	Lounsbury	Schillinger	Trainor
Clark, F.E.	Herrman	Marrin	Schoepflin	Tuttle
Conklin	Higbie	Matthews	Schulz, F.F.	Van Amber
Corrigan	Hobbie	McDermott	Seibert	Vehslage
Coughlin	Hoeffer	McKeon	Sheffield	Wells
Cutler	Horton	Melody	Sherwood	Whittet
Davidson	Hotaling	Messiter	Smith, M.F.	Wieman
Dean	Houghton	Mitnacht	Smith, S.W.	Wilcox
Dinkelspiel	Howe	Nixon	Soutiworth	Wray
Dowling	Hoysradt	O'Donnell	Stein	Wyckoff
Eldredge	Keck	O'Grady	Stevens	Speaker

Those who voted in the negative were

Brennan	Cassin	Finnigan	Roche	Vacheron
Butts	Clark, J. H.	Glenn		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1084) entitled "An act to authorize the Board of Claims to rehear, audit and determine the claims of Jacob Crouse and Silas B. Fyler, and to make awards thereon" (Rec. No. 476), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Porter	Stone
Babcock	Dinkelspiel	Howe	Prescott	Sulzer
Baker	Dowling	Keck	Reilly	Taylor
Berry	Eldredge	Keleher	Rider, J.J.	Terry, C.W.
Braun	Fairbrother	Kelsey	Robbins	Terry, J.F.
Brennan	Fish	Kerr	Robertson	Thompson
Brownell	Foley	Kern	Robinson	Thornton
Burtis	Friday	Kerrigan	Robson	Tilton
Bush	Fuller	La Fetra	Roche	Tobin

Butts	Gardiner	Lasch	Scanlon	Trainor
Cain	Gerst	Lawson	Schoepflin	Tuttle
Carroll	Gleason	Lee	Schulz, F.F.	Vacheron
Cassin	Glenn	Lounsbury	Seibert	Van Amber
Chambers	Gould	Matthews	Sherwood	Vehslage
Chapman	Gray	McDermott	Smith, M.F.	Wells
Clark, F.E.	Harrigan	McKeon	Smith, S.W.	Whittet
Clark, J. H.	Higbie	Melody	Snyder	Wieman
Conklin	Hobbie	Messiter	Southworth	Wilcox
Corrigan	Hoefler	Mittnacht	Stadtfeld	Wray
Cutler	Horton	Nixon	Stein	Wyckoff
Davidson	Hotaling	O'Grady	Stevens	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 846) entitled "An act to amend chapter 711 of the Laws of 1893, entitled 'An act in relation to the sale and redemption of land sold for taxes'" (Rec. No. 468), having been announced for a second reading,

Mr. Sulzer moved to amend said bill as follows:

Section 2, line 5, strike out the word "January" and insert the word "February."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 43 }
{ NOES 69 }

Those who voted in the affirmative, were

Ainsworth	Dean	Keck	Rider, J.J.	Southworth
Baker	Dinkelspiel	Kelsey	Robson	Stevens
Braun	Dowling	Kern	Schoepflin	Stewart
Brownell	Fish	Kneeland	Schulz, F.F.	Taylor
Burtis	Friday	Lee	Sheffield	Vacheron
Clark, F.E.	Fuller	Matthews	Sherwood	Wells
Conklin	Gould	O'Grady	Smith, M.F.	Whittet
Cutler	Hotaling	Parkhurst	Smith, S.W.	Wray
Davidson	Howe	Prescott		

Those who voted in the negative, were

Babcock	Douglas	Keleher	O'Donnell	Sulzer
Berry	Eldredge	Kerr	Plant	Terry, C.W.
Brennan	Finnigan	Kerrigan	Porter	Terry, J.F.
Cahill	Foley	La Fetra	Reilly	Thompson
Cain	Gardiner	Lasch	Robbins	Tilton
Callahan	Gerst	Lawson	Robertson	Tobin
Carroll	Gleason	Lounsbury	Robinson	Trainor
Cassin	Gray	Loonan	Ryder, E.L.	Tuttle
Chambers	Harrigan	Marrin	Scanlon	Van Amber
Chapman	Hennessy	McKeon	Schillinger	Vehslage
Clark, J. H.	Hobbie	Melody	Seibert	Wieman
Corrigan	Hoefler	Messiter	Stadtfeld	Wilcox
Coughlin	Houghton	Mitnacht	Stein	Wyckoff
Denniston	Hoysradt	Nixon	Stone	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the passage of the same.

The bill (No. 89) entitled "An act to promote and encourage a faithful and efficient service in the prevention of contagious diseases, and to provide for a health department pension fund in the city of New York" (Int. No. 93), was read the second time.

On motion of Mr. Lawson, said bill was placed on the order third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Plant	Stewart
Babcock	Douglas	Keck	Porter	Stone
Baker	Dowling	Keleher	Prescott	Sulzer
Berry	Eldredge	Kelsey	Reilly	Taylor
Braun	Finnigan	Kerr	Rider, J.J.	Terry, C.W.
Brennan	Foley	Kern	Robbins	Terry, J.F.
Brownell	Friday	Kneeland	Robertson	Thompson
Burtis	Fuller	La Fetra	Robinson	Thornton
Cain	Gardiner	Lasch	Robson	Tilton
Callahan	Gerst	Lawson	Scanlon	Tobin
Carroll	Gleason	Lee	Schoepflin	Trainor

Cassin	Glenn	Lounsbury	Schulz, F.F.	Tuttle
Chambers	Gould	Matthews	Seibert	Vacheron
Chapman	Gray	McDermott	Sheffield	Van Amber
Clark, F.E.	Harrigan	McKeon	Sherwood	Vehslage
Clark, J. H.	Herrman	Melody	Smith, M.F.	Wells
Conklin	Hobbie	Messiter	Smith, S.W.	Whittet
Corrigan	Hoefler	Mittnacht	Snyder	Wieman
Cutler	Horton	Nixon	Stadtfeld	Wilcox
Davidson	Hotaling	O'Grady	Stein	Wray
Dean	Houghton	Parkhurst	Stevens	Wyckoff
Denniston				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 1456) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1210), with a message that they have consented to the appointment of a committee of conference thereon, and have appointed as such committee Messrs. Lexow, Coggeshall and McMahon.

Ordered, That the Clerk return said bill to the Senate.

The Senate bill (No. 1062) entitled "An act to amend section 471 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to the construction or use of stables near places of public worship" (Rec. No. 422), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 4 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keleher	Plant	Stein
Berry	Douglas	Kelsey	Porter	Stone
Braun	Dowling	Kerr	Reilly	Sulzer
Brennan	Eldredge	Kern	Rider, J.J.	Taylor
Brownell	Fairbrother	Kerrigan	Robbins	Terry, C.W.
Burtis	Foley	Kneeland	Robertson	Thompson
Bush	Friday	La Fetra	Robson	Thornton

Butts	Fuller	Lasch	Roche	Tilton
Callahan	Gerst	Lawson	Ryder, E.L.	Tobin
Carroll	Gleason	Lee	Scanlon	Trainor
Chambers	Gray	Lounsbury	Schillinger	Tuttle
Clark, F.E.	Harrigan	Matthews	Schoepflin	Vacheron
Clark, J. H.	Herrman	McDermott	Schulz, F.F.	Vehslage
Conklin	Hoefler	McKeon	Sherwood	Wieman
Corrigan	Horton	Melody	Smith, M.F.	Wilcox
Cutler	Hotaling	Messiter	Snyder	Wray
Davidson	Houghton	Nixon	Southworth	Wyckoff
Dean	Howe			

Those who voted in the negative, were

Fish	Glenn	Seibert	Wells
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 300) entitled "An act to amend chapter 182 of the Laws of 1884, entitled 'An act to regulate the grade and to fix the pay or compensation of members of the police force who are, or who may be appointed patrolmen on or after January 1, 1885, in all cities of this State having, according to the last census, a population exceeding 800,000'" (Rec. No. 485), was read the second time.

On motion of Mr. Porter, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 2 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Nixon	Southworth
Babcock	Douglas	Hoysradt	O'Donnell	Stadtfield
Baker	Dowling	Keck	Parkhurst	Stein
Berry	Eldredge	Keleher	Plant	Stone
Braun	Finnigan	Kelsey	Porter	Sulzer
Brennan	Fish	Kerr	Reilly	Taylor
Brownell	Foley	Kern	Rider, J.J.	Terry, C.W.
Burtis	Friday	Kerrigan	Robbins	Terry, J.F.

Butts	Fuller	Kneeland	Robertson	Thompson
Cahill	Gardiner	La Fetra	Robinson	Thornton
Cain	Gerst	Lesch	Robson	Tilton
Callahan	Gleason	Lawson	Roche	Tobin
Cassin	Glenn	Lee	Scanlon	Trainor
Chambers	Gould	Lounsbury	Schillinger	Tuttle
Chapman	Gray	Loonan	Schoepflin	Vacheron
Clark, F.E.	Harrigan	Marrin	Schulz, F.F.	Van Amber
Clark, J. H.	Hennessey	Matthews	Schulz, H	Vehslage
Conklin	Herrman	McDermott	Seibert	Wells
Corrigan	Higbie	McKeon	Sheffield	Whittet
Coughlin	Hoefer	McNamee	Sherwood	Wieman
Cutler	Horton	Melody	Smith, M. F.	Wilcox
Davidson	Hotaling	Messiter	Smith, S.W.	Wray
Dean	Houghton	Mitnacht	Snyder	Wyckoff
Denniston				

Those who voted in the negative, were

Carroll O'Grady

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 325) entitled "An act providing for the formation, management and supervision of co-operative savings and loan associations" (Rec. No. 126) having been announced for concurrence in the passage of the same as amended by the Senate,

The vote upon the final passage of said bill having previously been reconsidered,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 20 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Nixon	Southworth
Babcock	Dinkelspiel	Hoysradt	O'Grady	Stadtfeld
Baker	Dowling	Keleher	Plant	Stewart
Braun	Finnigan	Kelsey	Porter	Stone
Burtis	Fish	Kerr	Reilly	Sulzer
Butts	Foley	Kern	Robertson	Taylor
Cahill	Friday	Kneeland	Robson	Terry, C.W.
Cain	Gerst	La Fetra	Roche	Thornton

Carroll	Gleason	Lasch	Ryder, E.L.	Tilton
Chambers	Gray	Lawson	Scanlon	Trainor
Clark, F.E.	Harrigan	Loonan	Schillinger	Van Amber
Conklin	Hennessy	Marrin	Schoepflin	Vehslage
Corrigan	Herrman	McDermott	Schulz, F.F.	Whittet
Coughlin	Hobbie	Melody	Seibert	Wieman
Cutler	Houghton	Mittnacht	Sheffield	Wyckoff
Davidson				

Those who voted in the negative, were

Brownell	Fuller	Horton	Messiter	Snyder
Clark, J. H.	Glenn	Hotaling	Parkhurst	Thompson
Dean	Gould	Keck	Rider, J.J.	Wells
Eldredge	Higbie	Lounsbury	Sherwood	Wilcox

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The bill (No. 1574) entitled "An act to provide for the incorporation of associations for loaning money on personal property" (Int. No. 1335), having been announced for a third reading,

Mr. Schoepflin moved to amend said bill as follows:

Begin section 1 as follows:

"In any county of this State having a population of more than 300,000 and less than 600,000 inhabitants."

Section 3, line 21, after the word "pawnbroker" add the words "within such county."

Same section, line 26, after the word "persons" add the words "within such county."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dinkelspiel	Hotaling	Nixon	Stein
Baker	Douglas	Houghton	O'Grady	Stevens
Berry	Dowling	Howe	Parkhurst	Stone
Braun	Eldredge	Keck	Plant	Sulzer
Brownell	Fairbrother	Keleher	Porter	Taylor
Burtis	Fish	Kelsey	Prescott	Terry, C.W.
Butts	Foley	Kerr	Reilly	Terry, J.F.

Callahan	Friday	Kern	Rider, J.J.	Thompson
Carroll	Fuller	Kerrigan	Robson	Thornton
Cassin	Gerst	Kneeland	Roche	Tilton
Chambers	Gleason	Lasch	Ryder, E.L.	Trainor
Chapman	Glenn	Lawson	Scanlon	Tuttle
Clark, F.E.	Gould	Lee	Schillinger	Vacheron
Clark, J. H.	Gray	Lounsbury	Schoepflin	Van Amber
Conklin	Harrigan	Marrin	Schulz, F.F.	Vehslage
Corrigan	Herrman	Matthews	Sherwood	Wells
Coughlin	Higbie	McDermott	Smith, S.W.	Whittet
Cutler	Hobbie	McNamee	Snyder	Wieman
Dean	Hoefler	Melody	Southworth	Wray
Denniston	Horton	Messiter	Stadtfeld	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 438) entitled "An act for the disposition and use of insurance moneys received for loss or damage of property in the State normal and training schools" (Rec. No. 129), having been announced for concurrence in the passage of the same as amended by the Senate.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Rider, J.J.	Stein
Babcock	Fairbrother	Kelsey	Robbins	Stewart
Baker	Fish	Kern	Robertson	Sulzer
Berry	Foley	Kerrigan	Robinson	Terry, C.W.
Braun	Friday	Kneeland	Robson	Terry, J.F.
Brennan	Fuller	Lasch	Ryder, E.L.	Thompson
Bush	Gerst	Lawson	Scanlon	Thornton
Butts	Glenn	Lee	Schillinger	Tilton
Callahan	Gould	Lounsbury	Schoepflin	Tuttle
Carroll	Gray	Matthews	Schulz, F.F.	Vacheron
Cassin	Hennessy	Messiter	Schulz, H	Van Amber
Chambers	Herrman	Mittnacht	Seibert	Wells
Clark, F.E.	Higbie	Myers	Sheffield	Whittet
Clark, J. H.	Hobbie	Nixon	Sherwood	Wieman
Cutler	Hoefler	O'Grady	Smith, S.W.	Wilcox
Dean	Horton	Parkhurst	Snyder	Wray
Denniston	Hotaling	Porter	Southworth	Wyckoff
Dowling	Howe	Prescott		

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Denniston	Houghton	O'Grady	Stevens
Baker	Dinkelspiel	Howe	Parkhurst	Stone
Berry	Douglas	Hoysradt	Plant	Sulzer
Braun	Dowling	Keck	Porter	Taylor
Brennan	Eldredge	Keleher	Prescott	Terry, C W.
Brownell	Fairbrother	Kelsey	Reilly	Terry, J.F.
Burtis	Finnigan	Kerr	Rider, J.J.	Thompson
Bush	Fish	Kern	Robbins	Thornton
Butts	Foley	Kerrigan	Robertson	Tilton
Callahan	Friday	Kneeland	Robinson	Tobin
Carroll	Fuller	La Fetra	Roche	Trainor
Cassin	Gerst	Lasch	Scanlon	Tuttle
Chambers	Glenn	Lawson	Schoepflin	Vacheron
Chapman	Gould	Lee	Schulz, F.F.	Van Amber
Clark, F.E.	Gray	Lounsbury	Seibert	Vehslage
Clark, J. H.	Harrigan	Marrin	Sherwood	Wells
Conklin	Herrman	McDermott	Smith, S.W.	Whittet
Corrigan	Higbie	McKeon	Snyder	Wieman
Coughlin	Hoefler	Melody	Southworth	Wilcox
Davidson	Horton	Messiter	Stadtfeld	Wray
Dean	Hotaling	Nixon	Stein	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to amend section 1991 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to auctions and auctioneers" (Rec. No. 508), was read the second time.

On motion of Mr. Southworth, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	O'Grady	Southworth
Babcock	Dinkelspiel	Keck	Parkhurst	Stadtfeld
Baker	Dowling	Keleher	Porter	Stein
Berry	Eldredge	Kelsey	Prescott	Stewart
Brennan	Fairbrother	Kerr	Rider, J.J.	Stone
Brownell	Fish	Kern	Robbins	Sulzer
Burtis	Friday	Kneeland	Robertson	Terry, C W.
Butts	Fuller	La Fetra	Robson	Terry, J.F.
Cabill	Gardiner	Lawson	Roche	Thompson
Callahan	Gerst	Lee	Scanlon	Thornton
Carroll	Glenn	Loonan	Schoepfin	Trainor
Cassin	Gould	Marrin	Schulz, F.F.	Tuttle
Chambers	Gray	Matthews	Schulz, H	Van Amber
Clark, F.E.	Herrman	McKeon	Seibert	Wells
Clark, J. H.	Higbie	Melody	Sheffield	Whittet
Conklin	Hobbie	Messiter	Smith, M.F.	Wilcox
Coughlin	Hoefler	Myers	Smith, S.W.	Wray
Cutler	Hotaling	Nixon	Snyder	Wyckoff
Davidson	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1658) entitled "An act to provide for the construction of an asphalt pavement in the village of White Plains" (Int. No. 1422), was read the second time.

On motion of Mr. Harrigan, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stadtfeld
Babcock	Douglas	Keck	Parkhurst	Stein
Baker	Dowling	Keleher	Porter	Stevens
Berry	Eldredge	Kelsey	Prescott	Stone

Braun	Fairbrother	Kerr	Rider, J.J.	Sulzer
Brennan	Fish	Kern	Robbins	Terry, C.W.
Burtis	Friday	Kneeland	Robertson	Terry, J.F.
Bush	Fuller	La Fetra	Robson	Thornton
Butts	Gardiner	Lawson	Roche	Tilton
Callahan	Gerst	Lee	Scanlon	Tobin
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Cassin	Gould	Marrin	Schulz, F.F.	Vacheron
Chambers	Gray	Matthews	Schulz, H	Van Amber
Clark, F.E.	Herrman	McKeon	Sheffield	Wells
Clark, J. H.	Higbie	Melody	Sherwood	Whittet
Conklin	Higbie	Messiter	Smith, M.F.	Wieman
Coughlin	Horton	Mittnacht	Smith, S.W.	Wray
Cutler	Hotaling	Nixon	Snyder	Wyckoff
Dean	Houghton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ainsworth moved to extend the session to 6.30 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (not printed) entitled "An act to authorize payments for sales of certain lands by the commissioners of the land office to be credited to the Adirondack park special fund" (Rec. No. 500), was read the second time.

On motion of Mr. Matthews, said bill was placed on the order of third reading.

Said bill was then read the third time

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Myers	Snyder
Babcock	Dinkelspiel	Houghton	Nixon	Stadtfeld
Baker	Dowling	Howe	O'Grady	Stein
Braun	Eldredge	Keck	Parkhurst	Stevens
Brennan	Fairbrother	Keenan	Porter	Stewart
Brownell	Fish	Kelsey	Prescott	Stone
Burtis	Friday	Kern	Rider, J.J.	Taylor
Bush	Fuller	Kerrigan	Robbins	Terry, J.F.
Cain	Gardiner	Kneeland	Robertson	Thompson

Callahan	Gerst	La Fetra	Robson	Thornton
Carroll	Glenn	Lawson	Roche	Trainor
Chambers	Gould	Lee	Scanlon	Tuttle
Clark, F.E.	Gray	Lounsbury	Schoepflin	Vacheron
Clark, J. H.	Harrigan	Marrin	Schulz, F.F.	Van Amber
Conklin	Herrman	Matthews	Seibert	Wells
Coughlin	Hobbie	McKeon	Sherwood	Wieman
Cutler	Hoefer	Melody	Smith, M.F.	Wilcox
Dean	Horton	Messiter	Smith, S.W.	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same

The Senate bill (No. 850) entitled "An act to amend chapter 501 of the Laws of 1885, entitled 'An act to amend chapter 151 of the Laws of 1882, entitled An act to amend chapter 361 of the Laws of 1881, entitled An act to amend chapter 542 of the Laws of 1880, entitled An act to provide for raising taxes for the use of the State upon certain corporations, joint-stock companies and associations'" (Rec. No. 406), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. J. F. Terry moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	97	}
{	NOES	10	}

Those who voted in the affirmative, were

Ainsworth	Denniston	Hoysradt	O'Donnell	Southworth
Babcock	Dinkelspiel	Keck	Parkhurst	Stadtfeld
Baker	Douglas	Keenan	Plant	Stein
Berry	Eldredge	Keleher	Porter	Stewart
Brennan	Fairbrother	Kern	Prescott	Stone
Brownell	Finnigan	Kerrigan	Reilly	Taylor
Burtis	Foley	Kneeland	Rider, J.J.	Terry, J.F.

Butts	Friday	La Fetra	Robertson	Thompson
Cahill	Fuller	Lasch	Robinson	Thornton
Cain	Gardiner	Lawson	Roche	Tobin
Callahan	Gleason	Lounsbury	Ryder, E.L.	Trainor
Carroll	Glenn	Loonan	Scanlon	Tuttle
Chambers	Gould	Marrin	Schillinger	Vacheron
Chapman	Gray	Matthews	Schoepflin	Van Amber
Clark, F.E.	Harrigan	McKeon	Schulz, F.F.	Wells
Clark, J. H.	Herrman	McNamee	Seibert	Whittet
Conklin	Higbie	Melody	Smith, M.F.	Wieman
Corrigan	Hobbie	Messiter	Smith, S.W.	Wilcox
Davidson	Hotaling	Mitnacht	Snyder	Wyckoff
Dean	Houghton			

Those who voted in the negative, were

Bush	Fish	Kelsey	Nixon	Robbins
Dowling	Hennessy	Kerr	O'Grady	Sulzer

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act to provide for the better administration of justice in the town of Canajoharie, in the county of Montgomery." (No. 1056, Int. No. 453.)

"An act to amend chapter 300 of the Laws of 1875, entitled 'An act providing that the bridge in course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company and the completion and management of said bridge by the said cities, relating to the compensation of policemen.'" (No. 1022, Int. No. 938.)

Ordered, That the clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act in relation to mines." (No. 628, Rec. No. 215.)

"An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872." (No. 1046, Rec. No. 434.)

"An act to amend the insurance law." (No. 596, Rec. No. 350.)

"An act to amend the county law." (No. 777, Rec. No. 290.)

Ordered, That the clerk return said bills to the Senate.

The Senate returned the bill (No. 1140) entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages' and acts amendatory thereof, in relation to the enforcement and collection of taxes in and for the village of Fair Haven in the county of Cayuga" (Int. No. 1004), with a message that they have concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1054) entitled "An act to amend title 12 of chapter 77 of the Laws of 1870, entitled 'The police department'" (Int. No. 510), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section two of title twelve of chapter seventy-seven of the laws of eighteen hundred and seventy is hereby amended so as to read as follows:

§ 2. The powers and duties connected with and incident to the police government of the city of Albany shall be vested in and exercised by the mayor of said city, a chief of police and a police force composed of captains of police, sergeants of police, patrolmen of police, station-house keepers and one surgeon of police.

§ 2. Section three of said act is hereby amended so as to read as follows:

§ 3. There shall be in charge of the police of the city of Albany a chief of police, who shall be appointed by the mayor of the said city, by an appointment in writing to be filed with the clerk of the common council of said city; said mayor shall, in case of the death, disability, resignation or removal of said police commissioner, from time to time fill such vacancy, so caused, by filing a similar appointment, and said chief, so appointed, shall hold office as hereinafter provided. The person who shall be elected as mayor of the city of Albany at the election to be held in April, eighteen hundred and ninety-four, must appoint such chief within ten days after his qualifying as such mayor, or after this act becomes a law, if such mayor first qualify, and immediately upon the filing of such appointment, and the acceptance by the person so appointed of his said office as chief of police, the term of office of the then present police commissioners and chief shall expire, and not before then. The said chief of police may be

removed from office by the mayor of the city of Albany at any time.

§ 3. Section four of said act is hereby repealed.

§ 4. Section five of said act is hereby amended so as to read as follows:

§ 5. The said chief of police and mayor shall keep a record of their proceedings, and the mayor shall appoint a secretary who shall have the custody of all books and papers belonging to the police department, and who shall render such other services appertaining to such police department as said mayor may require of him, and who shall receive a salary of not to exceed twelve hundred dollars per annum to be paid for the year eighteen hundred and ninety-four out of any unexpended balance in the hands of the chamberlain of the city of Albany.

§ 6. Section seven of said act is hereby repealed.

§ 7. Section eight of said act is hereby amended so as to read as follows:

§ 8. On his appointment, the said chief shall assume control of the police department, police force and of all the property, station-houses and offices within said city of Albany now in the possession or occupation of the police or police commissioners thereof.

§ 8. Section nine of said act is hereby amended so as to read as follows:

§ 9. The duties of the said chief (as hereinafter prescribed and defined) shall be more specially executed under and according to rules and regulations which the mayor of Albany is hereby authorized to make, from time to time, for the government and discipline of the police force of the city of Albany; but no rule or regulation shall go into effect until at least ten days after it shall have been adopted by and entered in the minutes. The said police force shall consist of the chief of police, with so many captains of police, sergeants of police and patrolmen as are hereby especially allowed and provided for and appointed by the mayor. All members of such police force shall, in the first instance, be appointed by said mayor; and whenever vacancies occur in such force, or further or additional members of such force are required, within the limit allowed by law, such vacancies shall be filled and such additional members made by like appointments by said mayor. All officers and members of the police department (including the chief thereof) subject to removal for cause as hereinafter specified, shall hold their office during good behavior, or as each shall well and faithfully observe and execute all the rules and regulations of the police department, the laws of the state and the ordinances of the city of Albany. Any member

of said police force may be removed from his office by said mayor only after written charges shall have been preferred against him, according to the rules and regulations of said department and the same shall have been heard and examined by said mayor, publicly, in the presence of the accused, and after notice to him of such hearing by said mayor in manner to be prescribed by said rules and regulations. But no person shall ever be appointed to membership in the police force of the said city of Albany, or shall continue to hold membership therein, who is not a citizen of the United States, who is not of good moral character, who has ever been convicted of, or is under indictment or arrest for a crime, or who can not understandingly read and write the English language, or who shall not have resided in the city of Albany during two years preceding his appointment.

§ 9. Section eleven of said act is hereby amended so as to read as follows:

§ 11. The chief of police, to be appointed under the provisions of this act, shall be (subordinate to the mayor of the city of Albany) the chief executive of the police force created by this act, and he shall obey and cause the force under him to obey, the rules and regulations that may be from time to time established by the said mayor, in accordance with the provisions of this act. The said chief of police shall possess the powers of a magistrate to entertain complaints for criminal offenses, and to issue warrants for the arrest of persons charged with such offenses, which warrants shall be made returnable before either of the police justices of the city of Albany at the police court. He shall also possess the power to commit persons charged with criminal offenses until an examination shall be had before such police justices, or one of them.

§ 10. Section twelve of said act is hereby amended so as to read as follows:

§ 12. The chief of police shall have the charge of organizing and directing a detective staff of not more than five members, who shall, from time to time, be selected, designated and detailed from said police force for services connected with the prompt detection and aid in the punishment of crime, and in such mode and manner as the commissioner may select and direct; and who may be at any time by said chief restored to duty on said regular police force, and punished or removed by said mayor in the same manner as the members of said regular force. The said mayor may make such rules as to him may seem best for the regulation, formation and proper discharge of the duties of said detective force.

§ 11. Section thirteen of said act is hereby amended so as to read as follows:

§ 13. The said chief of police shall, whenever expedient, and on the application of a corporation or person or persons showing the necessity thereof, detail regular patrolmen of the police force, or appoint and swear any additional number of special patrolmen of the police force, to do special duty within the said city, the person or persons by whom the application shall be made contributing to the police fund, by payment to the chamberlain of the said city of Albany of a sum not exceeding the sum of two dollars and fifty cents per diem of service on such detail of special duty. But the patrolmen so additionally and specially appointed shall be subject to the orders of the chief of police, and shall obey the rules and regulations of the said police department and conform to its general discipline and to such special regulations as shall be made, and shall wear such dress and emblems as the chief of police may direct; and shall, during the term of holding such appointment, possess all the powers and privileges and discharge all the duties of patrolmen of the police force or such special duties as may be assigned to them by the chief of police; and they may be removed at any time by the said chief, without cause assigned therefor, upon notice to the person or persons who applied for the appointment as aforesaid. All supernumerary patrolmen appointed by said mayor shall be appointed for the purpose of temporarily filling the places and discharging the duties of the regular patrolmen who may be absent from duty from time to time, and for no other purpose whatever, and while on duty such supernumerary patrolmen shall possess the same powers and be subject to the same duty and discipline as regular policemen, and they shall receive such compensation as the chief of police may determine, not exceeding the per diem pay of regular policemen; but no supernumerary patrolmen shall be paid for any service except as in this section provided.

§ 12. Section fourteen of said act is hereby amended so as to read as follows:

§ 14. The said mayor may, also, upon any emergency or apprehension of riot, pestilence or invasion, appoint as many special patrolmen, from among the citizens, without pay, as he may deem desirable; and during any day of public election he may appoint, to perform duty in the said city of Albany, so many special patrolmen as may be required to keep order during such election, but who must have all the qualifications required of regular patrolmen, who may be paid for their services as such special patrolmen on such day two dollars each, out of the public fund, to be contributed by said city of Albany; provided, however, that each special patrolman so appointed shall, at the time of his appointment, make an oath before the chief

of police that he will not interfere, in any manner, with the election taking place on the day for which he is appointed, otherwise than by depositing his own vote; and providing that such pay may be withheld, and he may be duly prosecuted as for a misdemeanor, if the terms of such oath be violated; and during the term of service of any special patrolman, authorized as aforesaid, he shall possess all the powers and privileges of the patrolmen of the standing force, and he shall wear such emblem as shall be prescribed and furnished by said chief of police.

§ 13. Section fifteen of said act is hereby amended so as to read as follows:

§ 15. No member of the police force, under penalty of forfeiting the salary or pay which may be due him, shall withdraw or resign, except by permission of the said mayor, unless he shall have given the chief of police one month's notice in writing of his intention so to do.

§ 14. Section sixteen of said act is hereby amended so as to read as follows:

§ 16. The said chief of police shall provide such offices and business accommodations as he shall deem requisite for the transaction of the business of the department.

§ 15. Section seventeen of said act is hereby amended so as to read as follows:

§ 17. The said chief shall, at all times, whenever consistent with the rules and regulations adopted and with the requirements of this act, furnish all police information desired by the common council of the city of Albany, or by any board, commission or officer of said city.

§ 16. Section eighteen of said act is hereby amended so as to read as follows:

§ 18. The said mayor shall have power to issue subpoenas, tested in his name, to compel the attendance of witnesses upon any proceeding authorized by him or his rules and regulation. The mayor and chief of police are hereby authorized and empowered to administer oaths and affirmations to any person appearing in any matter or proceeding authorized as aforesaid, and to take any depositions necessary to be made under the rules and regulations of the police department for the purposes embraced in this act; and any willful and corrupt false swearing by any witness or person to any material fact in any necessary proceeding, under the said rules and regulations of this act, shall be deemed perjury, and be punished in the manner now prescribed by law for that offense; and in case any person subpoenaed under this section shall fail or refuse to obey such subpoena, or refuse to take, when required, the proper oath or affirmation, or to answer any proper question, upon the pre-

sentation of satisfactory proof of the same to a justice of the supreme court, or the Albany county judge, it shall be the duty of the justice or judge to whom such presentation shall have been made, to issue an order returnable before him at an early day, requiring the person so failing or refusing to show cause why an attachment should not issue against him; and to adopt such other and further measures to compel the person to appear and testify, and to punish disobedience as if the matter were legally pending in the supreme court, or the county court of said county.

§ 17. Section nineteen of said act is hereby amended so as to read as follows:

§ 19. The said chief may, from time to time, establish stations and station-houses, not to exceed six, for accommodating thereat the members of the police force, and as temporary places of detention for persons arrested and property taken within the precinct.

§ 18. Section twenty of said act is hereby amended so as to read as follows:

§ 20. The said mayor in furtherance of the police government of the said city of Albany, and for promoting and perfecting the police discipline of subordinates and of the members of said police force, is empowered to enact and, from time to time, to modify and repeal, by-laws, ordinances, rules and regulations of general descriptions wherein in addition to such other provisions as the mayor may deem expedient, there shall be particularly defined, enumerated and distributed the powers and duties of the chief of police and captains of the police force, of the clerk, and all other members of said police force; and where shall be specified the modes of appointment to and removal from office of all members of said police force, and the manner of discipline of said police; provided that such by-laws, ordinances, rules and regulations shall not conflict with any of the provisions of this act, or with the constitution of the United States or of this state.

§ 19. Section twenty-two of said act is hereby amended so as to read as follows:

§ 22. The several members of said police force shall have power and authority, and it shall be his duty to immediately and without process arrest and take into custody any person who shall commit or threaten or attempt to commit in the presence of such member, or within his view, any breach of the peace or offense directly prohibited by act of the legislature or by any ordinance of the city, but such member of the police force shall, immediately upon such arrest, convey in person such offender before the nearest magistrate, that he may be dealt with according to law.

§ 20. Section twenty-five of said act is hereby amended so as to read as follows:

§ 25. The said chief of police is authorized, from time to time, to contract for and to provide suitable accommodations within said city for the detention of witnesses who are unable to furnish security for their appearance in criminal proceedings; and such accommodations shall be in premises other than those used for the confinement of persons charged with crime, fraud or disorderly conduct; and it shall be the duty of all magistrates in committing witnesses to have regard to the rules and regulations of said chief in respect to their detention.

§ 21. Section twenty-six of said act is hereby amended so as to read as follows:

§ 26. The mayor may suspend from pay or duty, or both, any member of the said force.

§ 22. Section twenty-seven of said act is hereby amended so as to read as follows:

§ 27. The said chief of police shall make to said mayor quarterly reports in writing of the state of the police force, with such statistics and suggestions as he may deem it advisable to submit for the improvement of the police government and discipline of the said force; said chief shall, on or before the first Monday of December in each year, make a report in writing to the common council of said city upon the condition of the said police within said city.

§ 23. Section twenty-nine of said act is hereby amended so as to read as follows:

§ 29. The said chief shall cause to be kept general complaint books, in which shall be entered any complaint of a police nature, preferred upon a personal knowledge of the circumstances thereof, with the name and residence of the complainant; he shall also cause to be kept books of registration of lost, missing and stolen property, for the general convenience of the public and for the information of said police force. The said chief shall cause to be kept books of record of said police department, wherein shall be entered the name of every member of said police force, with the time and place of his nativity, the place where and when (if born out of the United States) he became a citizen of the United States; his age upon becoming such member and his former occupation, the number of his family and the residence thereof, and the date of his appointment, and of his resignation or withdrawal or dismissal from said force, with the cause of the latter, and against all such entries sufficient space shall be left wherein to make record of any special arrests made from time to time by such member, or of any special service deemed meritorious by the chief done by him. Such

books shall be, at all business hours, and when not in actual use, open to public inspection. The said chief shall also cause to be kept and bound all police returns and reports from any member of said force, and all minutes of the proceedings of the mayor or chief, which returns, reports and minutes shall be open for public inspection only in the discretion of said mayor.

§ 24. Section thirty of said act is hereby amended so as to read as follows:

§ 30. Every member of said force shall have issued to him, by said mayor a proper warrant of appointment, signed by said mayor and countersigned by the chief, which warrant shall contain the date of his appointment and his rank.

§ 25. Section thirty-one of said act is hereby amended so as to read as follows:

§ 31. The said mayor shall make suitable provisions respecting security to be given by the chief of police and other officers of said force for the faithful performance of their respective duties. Each member of the police force shall subscribe an oath of office in the constitutional form, in a book kept for that purpose, and shall take said oath before the chief of police, who is hereby authorized to administer such oath and to certify the taking thereof.

§ 26. Section thirty-two of said act is hereby amended so as to read as follows:

§ 32. It shall be the duty of said chief to detail, on the day of any election in said city of Albany, at least two patrolmen to each election poll, and to distribute ballot-boxes for use at any and all such elections, and to provide for the custody of said boxes at all times except during the taking, receiving and counting of the votes. Said city of Albany shall pay the expenses of taking care of its boxes.

§ 27. Section thirty-three of said act is hereby amended so as to read as follows:

§ 33. It shall be the duty of said chief to prevent any booth or box for the distribution of tickets at any election from being erected or maintained within one hundred and fifty feet of any polling place within said city, and to see that the arrangements for voting are such as to prevent any avoidable crowding of voters at such polls, and that the challengers of both and all parties have fair and equal room, rights and privileges for the discharge of their duties at each poll, and that the canvassing of the votes be conducted in an orderly, fair, open and public manner; and no person or officer shall have power to interfere with said chief in the discharge of the duties imposed on him by this section.

§ 28. Section thirty-five of said act is hereby amended so as to read as follows:

§ 35. The necessary expenses incurred in the execution of criminal process within said city shall be a charge against the city. No fees or compensation whatever, other than as herein provided, shall be charged or received by any officer or member of the said police force, for the arrest, confinement or discharge of any person, or for mileage and travel, or for serving any warrant, subpoena or process, or for discharging any other duty required by this act, nor shall any such fee or compensation be charged or received by any officer or citizen for the arrest of any person charged with crime, or for the service of any warrant, subpoena or other process in any criminal case, except as herein provided. The actual, necessary and reasonable traveling expenses, which shall include board as well as transportation, incurred by any officer or member of the said police force, or by any other officer or citizen who may have been selected to execute any process issued within the said city of Albany, incurred by any such officer or member of the police force, or other officer or person in executing any such process or discharging any duty required of him by the district attorney of the county of Albany, or by any police justice, justice of the peace, judge of a court of record or criminal court, held within said city, for any offense arising within said city, shall be audited and allowed by the said chief and paid by the chamberlain of the said city of Albany. But such charges shall only be allowed upon the affidavit of the person making them and shall not include any items for traveling expenses, in cases wherein transportation has been furnished to the party gratuitously, and without pay by him, under whatever circumstances such free transportation may have been given. The board of supervisors of the county of Albany shall annually cause to be raised by tax, in the manner provided by law for assessing, levying and collecting the state and county taxes, within and for said county, the sum of two thousand dollars to pay in part the expenses incurred by said police force in the service of all criminal process issuing from the district attorney, or any police justice of the city of Albany, and a sum sufficient to pay the cost, charges and expenses for police services rendered by any member of the said police force, or by said chief of police or mayor in the execution of criminal process, in cases now chargeable to said county; the same to be assessed, levied and collected upon and from the city in the same manner, ratio and proportion as the accounts of deputy sheriffs and constables of said county are now charged, assessed, levied and collected; the amount thereof to be paid to the chamberlain of the city of Albany, to be applied toward the general expenses of said police force; and it

shall be the duty of the said chief of police to furnish annually to the board of supervisors of said county, an accurate statement of all the moneys paid out by said board under the requirements of this section during the preceding year, and the amount so raised shall be paid over by the county treasurer of said county to the chamberlain of said city of Albany.

§ 29. Section thirty-six of said act is hereby amended so as to read as follows:

§ 36. It is hereby declared to be the duty of the common council of the city of Albany to provide, at the expense of said city, within each police precinct of said city, all necessary accommodations for the station-houses required by said chief of police for the accommodation of the police force of such precincts, and for the lodging of vagrants and disorderly persons, and for the temporary detention of persons arrested for offenses. In case said common council neglect or refuse for sixty days after having been in writing requested by the said chief to provide such accommodations or station-houses, which, in the opinion of said commissioner are suitable, or to put such station-houses in due repair, then the said chief may make his own provisions therefor, whether by contracts of hiring or repairing proper premises; and the expenses thereof shall be a proper expense of and charge against the said city of Albany. Provided in case there shall be at any time a sufficient surplus arising from unexpended moneys raised for the annual support of the police department, but not used necessarily for that purpose, it shall be lawful for said chief to apply the same without the consent of the common council to the purchase of a lot and the erection of a building thereon to be used as a station-house in any of the police precincts of said city.

§ 30. Section thirty-seven of said act is hereby amended so as to read as follows:

§ 37. The board of supervisors of the county of Albany, shall, annually, on the requisition of the said chief of police cause to be raised by tax, in the manner provided by law for assessing, levying and collecting the general taxes of said city of Albany, the sum necessary to defray the expenses of the police force organized by this act. Such sum, when collected, shall be paid over by the receiver of taxes of said city to the chamberlain thereof, by whom the disbursement thereof shall be made as herein provided, in accordance with the rules and regulations of the said police department.

§ 31. Section thirty-eight of said act is hereby amended so as to read as follows:

§ 38. The chief of police shall receive an annual salary of three thousand dollars and the salary of the clerk shall be fixed by the mayor at a sum not exceeding twelve hundred dollars; each captain of the police shall receive an annual salary of not over one thousand two hundred dollars; each sergeant one thousand dollars and each patrolman of the police force shall receive an annual salary of not over nine hundred dollars to be regulated, as hereinafter set forth, and each station-house keeper shall receive an annual salary of not over six hundred dollars, and the surgeon of police shall receive an annual salary of not over five hundred dollars. Each patrolman detailed on the detective staff of said police force may be paid in the discretion of the mayor in addition to his annual salary, as herein provided, an additional compensation of not exceeding one hundred dollars annually, to be paid to said detectives so detailed in proportionate monthly sums in the same manner as provided in this act for the payment of their salaries. The grade of the members of the police force who are patrolmen shall be as follows: All such members who shall have served three years or upwards on such force as patrolman shall be members of the first grade; all such members who shall have served for less than three years and more than one year on such force shall be members of the second grade, and all other members of the police force who are patrolmen shall on their appointment become members of the third grade. There shall also be established a veteran grade, which shall consist of such member of the police force of the rank of patrolmen as shall have become from age or other causes incapable of severe or prolonged physical exertion. The annual salary of patrolmen of the first grade shall be nine hundred dollars, of patrolmen of the second grade eight hundred dollars, of the third grade seven hundred dollars and of the veteran grade six hundred dollars. All of said salaries shall be paid monthly by the chamberlain of said city, to each person entitled thereto, in the manner to be prescribed by the rules and regulations of the police department, subject to such deductions each month from the pay or salary of the members of said police force as the said mayor shall make to satisfy fines imposed on any member of said force by way of discipline or punishment and as provided by the rules and regulations of said department. The members of the veteran grade shall be assigned to the performance of such duties as shall not require great physical exertion or endurance, and nothing in this act contained shall prevent the assignment of members of the present police force to such grade, whenever in the judgment of the chief of police

the efficiency of the police force will be promoted by such change.

§ 32. Section thirty-nine of said act is hereby amended so as to read as follows:

§ 39. The chief of police, for meritorious and extraordinary services rendered by any member of the police force in the due discharge of his duty, may permit any member of the police force to retain, for his own benefit, any reward or present tendered him therefor; and it shall be cause for removal from said force for any member thereof to receive any such reward or present without giving notice thereof to the chief of police. Upon receiving such notice the said chief may either order said member to retain the same or pay it over to the treasurer of the police pension fund for the city of Albany.

§ 33. Section forty of said act is hereby amended so as to read as follows:

§ 40. All fines imposed by the mayor upon members of the police force by way of discipline, and collectible from salary or pay, and all rewards, fees, proceeds of gifts and emoluments that may be paid and given for account of extraordinary services of any member of the police force (except when allowed to be retained by such member), and all moneys remaining for the space of one year in the hands of the property clerk, arising from the sale of unclaimed goods, and all proceeds of suits for penalties under this act, shall be paid over to the treasurer of the police pension fund of the city of Albany.

§ 35. Whenever by any act of the legislature or ordinance of the city of Albany, heretofore or hereafter passed or adopted, and not hereby repealed, any power or authority is vested in, or any obligation or duty is imposed on the board of police commissioners of the city of Albany, or any member thereof, such power, or authority, or duty, or obligation, shall be vested in or performed by the mayor of the city of Albany. Nothing in this act contained shall be construed as authorizing the removal from the police force or the reduction from office of any member of the present police force except for cause and after due hearing as herein provided.

§ 36. Chapters one hundred and eighty-six of the laws of eighteen hundred and seventy-two; two hundred and seventy-eight of the laws of eighteen hundred and seventy-two; two hundred and ninety-eight of the laws of eighteen hundred and eighty-five; four hundred and forty-three of the laws of eighteen hundred and eighty-six; four hundred and ninety-five of the laws of eighteen hundred and seventy-three; three hundred and thirty-five of the laws of eighteen hundred and ninety; ninety-nine of the laws of eighteen hundred and ninety-two, and three hundred and ninety

of the laws of eighteen hundred and ninety-two, are hereby repealed.

§ 37. This act shall take effect on the first Tuesday in May, eighteen hundred and ninety-four.

Amend the title so as to read as follows :

“ An act to amend title 12 of chapter 77 of the Laws of 1870, entitled ‘An act to amend the act to combine into one act the several acts relating to the city of Albany,’ passed April 12, 1842, and the several acts amendatory thereof, and also to repeal the act to establish a capitol police district and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany.”

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	87	{
{	NOES	2	}

Those who voted in the affirmative, were

Ainsworth	Fuller	Kerrigan	Robertson	Stewart
Babcock	Gardiner	Kneeland	Robson	Stone
Baker	Glenn	Lawson	Roche	Taylor
Berry	Gould	Lounsbury	Ryder, E.L.	Terry, C. W.
Braun	Gray	Marrin	Scanlon	Terry, J.F.
Brownell	Harrigan	Matthews	Schoepflin	Thompson
Bush	Herrman	McKeon	Schulz, F.F.	Thornton
Chambers	Higbie	McNamee	Schulz, H	Tilton
Clark, F.E.	Hobbie	Melody	Seibert	Tuttle
Clark, J. H.	Horton	Messiter	Sheffield	Vacheron
Conklin	Hotaling	Mitnacht	Sherwood	Van Amber
Cutler	Houghton	O'Grady	Smith, M.F.	Wells
Dean	Howe	Parkhurst	Smith, S.W.	Whittet
Denniston	Keck	Porter	Snyder	Wieman
Eldredge	Keenan	Prescott	Stadtfeld	Wilcox
Fairbrother	Keleher	Rider, J.J.	Stein	Wray
Fish	Kelsey	Robbins	Stevens	Wyckoff
Friday	Kerr			

Those who voted in the negative, were

Carroll	Lasch
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The hour of 6.30 having arrived, the House took a recess until 8 o'clock.

EIGHT O'CLOCK P. M.

The House again met.

Mr. Sulzer moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ainsworth	Douglas	Kelsey	O'Grady	Snyder
Babcock	Dowling	Kern	Porter	Southworth
Berry	Eldredge	Kerrigan	Prescott	Stadtfeld
Braun	Fairbrother	Kneeland	Rider, J.J.	Stone
Brennan	Finnigan	La Fetra	Robbins	Stein
Brownell	Fish	Lasch	Robertson	Sulzer
Burtis	Friday	Lawson	Robinson	Terry, J.F.
Bush	Fuller	Lee	Robson	Thornton
Butts	Gerst	Loonan	Ryder, E.L.	Tilton
Cain	Gleason	Marrin	Scanlon	Tobin
Carroll	Glenn	Matthews	Schillinger	Vacheron
Cassin	Gray	McDermott	Schoepflin	Van Amber
Chapman	Herrman	McNamee	Schulz, F.F.	Vehslage
Clark, F.E.	Hobbie	Melody	Schulz, H	Wells
Clark, J. H.	Hoefer	Messiter	Seibert	Whittet
Conklin	Hotaling	Mitnacht	Sherwood	Wieman
Corrigan	Houghton	Myers	Smith, M.F.	Wilcox
Davidson	Howe	O'Donnell	Smith, S.W.	Wyckoff
Dean	Hoysradt			

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Reilly and Kneeland, who, upon giving satisfactory explanation for having been absent, were excused.

Mr. Ainsworth moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A communication from the Governor was received and read, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 26, 1894.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1472,

entitled "An act to revise the charter of the city of Watertown" (Int. No. 1200.)

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	Myers	Smith, S.W.
Babcock	Denniston	Keck	O'Donnell	Southworth
Baker	Dinkelspiel	Keenan	O'Grady	Stein
Berry	Eldredge	Keleher	Parkhurst	Stevens
Brennan	Fairbrother	Kelsey	Porter	Sulzer
Brownell	Finnigan	Kerr	Prescott	Taylor
Bush	Fish	Kerrigan	Rider, J.J.	Terry, C. W.
Butts	Foley	Kneeland	Robbins	Terry, J.F.
Cahill	Friday	La Fetra	Robertson	Thornton
Cain	Fuller	Lasch	Robson	Tilton
Carroll	Gerst	Lawson	Roche	Trainor
Cassin	Glenn	Lee	Scanlon	Tuttle
Chambers	Gould	Loonan	Schillinger	Van Amber
Chapman	Harrigan	Marrin	Schoepflin	Vehslage
Clark, F.E.	Herrman	Matthews	Schulz, F.F.	Wells
Conklin	Higbie	McKeon	Schulz, H	Whittet
Corrigan	Hoefler	McNamee	Sheffield	Wray
Coughlin	Horton	Messiter	Sherwood	Wyckoff
Cutler	Hotaling			

On motion of Mr. Fuller, and by unanimous consent, said bill was amended as follows:

(Reference to engrossed bill.)

Page 40, fourth line from end of section 7, strike out the word "advertistment" and insert the word "advertisement."

Page 42, fifth line from bottom of page, strike out the word "sollected" and insert the word "collected."

Strike out all of section 3 of title 9, and renumber sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 respectively as follows: 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18.

Section 7, title 9, strike out the words "fourth title of the seventh chapter of the third part of the Revised Statutes" and insert the words "Code of Civil Procedure."

Section 8, title 9, strike out the words "the fourth article of the fourth title of the eleventh chapter of the first part of the

Revised Statutes " and insert the words " article five of the town law."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keenan	O'Grady	Southworth
Babcock	Fairbrother	Kelsey	Parkhurst	Stadtfield
Baker	Fish	Kerr	Porter	Stevens
Berry	Foley	Kern	Prescott	Stewart
Braun	Friday	Kerrigan	Reilly	Stone
Brownell	Fuller	Kneeland	Rider, J.J.	Sulzer
Burtis	Gardiner	La Fetra	Robbins	Taylor
Butts	Gerst	Lasch	Robertson	Terry, J.F.
Callahan	Glenn	Lawson	Robson	Thompson
Cassin	Gould	Lee	Roche	Thornton
Chapman	Harrigan	Lounsbury	Ryder, E.L.	Tilton
Clark, J. H.	Hennessy	Loonan	Scanlon	Tobin
Corrigan	Higbie	Marrin	Schoepflin	Tuttle
Coughlin	Hobbie	McDermott	Schulz, F.F.	Vacheron
Cutler	Horton	McNamee	Seibert	Vehslage
Dean	Houghton	Messiter	Sheffield	Wells
Denniston	Howe	Mittnacht	Sherwood	Wilcox
Dinkelspiel	Hoysradt	Myers	Smith, M.F.	Wray
Dowling	Keck	O'Donnell	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the bill (No. 915) entitled "An act in relation to the government of the city of Brooklyn" (Int. No. 566), with a message that they have concurred in the passage of the same, with the following amendment:

Section 1, line 3, after the word "fireman" insert the words "and inspectors of steam boilers."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	McNamee	Snyder
Babcock	Denniston	Houghton	Messiter	Southworth
Baker	Douglas	Howe	Mitmacht	Stein
Berry	Dowling	Hoysradt	Myers	Stevens
Braun	Eldredge	Keck	O'Donnell	Stone
Brennan	Finnigan	Keenan	O'Grady	Taylor
Burtis	Fish	Keleher	Parkhurst	Terry, C.W.
Bush	Foley	Kelsey	Porter	Thompson
Butts	Friday	Kerr	Prescott	Thornton
Cain	Fuller	Kern	Rider, J.J.	Tobin
Callahan	Gerst	Kneeland	Robertson	Trainor
Carroll	Gleason	La Fetra	Robson	Vacheron
Cassin	Glenn	Lasch	Roche	Van Amber
Chambers	Gould	Lawson	Scanlon	Vehslage
Clark, F.E.	Gray	Lee	Schillinger	Wells
Conklin	Herrman	Lounsbury	Schulz, H	Whittet
Corrigan	Higbie	Loonan	Seibert	Wieman
Coughlin	Hobbie	Marrin	Sheffield	Wilcox
Cutler	Hoeffer	McDermott	Smith, M.F.	Wray
Davidson	Horton	McKeon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 955) entitled "An act to amend the Code of Civil Procedure, relating to compensation of attorneys for services" (Int. No. 454), with a message that they have concurred in the passage of the same, with the following amendment:

Section 2, after "94" strike out the rest of the section.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Hoysradt	Parkhurst	Stevens
Babcock	Fairbrother	Keck	Plant	Stewart
Baker	Finnigan	Keenan	Prescott	Stone
Berry	Fish	Kelsey	Rider, J.J.	Sulzer
Braun	Foley	Kerr	Robertson	Taylor

Brownell	Friday	Kerrigan	Robinson	Terry, C.W.
Burtis	Gardiner	Kneeland	Robson	Terry, J.F.
Bush	Gerst	Lasch	Ryder, E.L.	Thompson
Butts	Glenn	Lawson	Scanlon	Thornton
Cain	Gould	Lee	Schoepfin	Tilton
Callahan	Harrigan	Lounsbury	Schulz, F.F.	Tobin
Cassin	Hennessy	Loonan	Schulz, H	Trainor
Chambers	Herrman	Marrin	Seibert	Tuttle
Clark, F.E.	Higbie	Matthews	Sheffield	Van Amber
Conklin	Hobbie	McKeon	Sherwood	Vehslage
Corrigan	Hoefer	McNamee	Smith, M.F.	Wells
Cutler	Horton	Messiter	Smith, S.W.	Whittet
Davidson	Hotaling	Mittnacht	Snyder	Wieman
Dean	Houghton	O'Donnell	Southworth	Wilcox
Dinkelspiel	Howe	O'Grady	Stein	Wray
Douglas				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1009) entitled "An act in relation to Lewis avenue in the city of Brooklyn" (Int. No. 924), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 4 (printed bill). after the word "avenue" insert the words "between Halsey and Fulton streets."

Same section, line 6, after the word "said" insert the words "portion of."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Kelsey	Porter	Stadtfeld
Babcock	Douglas	Kerr	Prescott	Stein
Baker	Eldredge	Kern	Reilly	Stewart
Berry	Fairbrother	Kneeland	Rider, J.J.	Stone
Brownell	Fish	La Fetra	Robbins	Sulzer
Burtis	Foley	Lasch	Robertson	Taylor
Bush	Friday	Lawson	Robson	Terry, C.W.
Cahill	Fuller	Lee	Roche	Terry, J.F.
Cain	Gardiner	Lounsbury	Ryder, E.L.	Thompson
Callahan	Gleason	Marrin	Scanlon	Thornton
Carroll	Glenn	Matthews	Schillinger	Tilton

Cassin	Gray	McDermott	Schoepflin	Tobin
Chapman	Herrman	McKeon	Schulz, F.F.	Tuttle
Clark, F.E.	Higbie	McNamee	Seibert	Vacheron
Conklin	Hobbie	Messiter	Sheffield	Vehslage
Corrigan	Horton	Mittnacht	Sherwood	Wells
Coughlin	Houghton	Myers	Smith, S.W.	Whittet
Davidson	Hoysradt	O'Donnell	Snyder	Wilcox
Dean	Keenan	O'Grady	Southworth	Wray
Denniston	Keleher	Plant		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (not printed) entitled "An act to amend the legislative law" (Int. No. 1497), with a message that they have concurred in the passage of the same, with the following amendments:

Section 7, line 13, engrossed bill, strike out the words "the Speaker of the" and insert the word "they."

Same section, line 8, strike out the word "Assembly," and after the word "designate" insert the word "each."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	O'Donnell	Southworth
Babcock	Dowling	Keenan	O'Grady	Stadtfield
Baker	Eldredge	Keleher	Parkhurst	Stein
Berry	Finnigan	Kelsey	Plant	Stevens
Braun	Fish	Kerr	Porter	Stewart
Brennan	Foley	Kern	Prescott	Sulzer
Burtis	Fuller	Kerrigan	Rider, J.J.	Taylor
Bush	Gardiner	Kneeland	Robbins	Terry, C W.
Cahill	Gerst	Lasch	Robertson	Thompson
Cain	Gleason	L wson	Robson	Thornton
Carroll	Glenn	Lee	Roche	Tilton
Cassin	Gray	Lounsbury	Ryder, E.L.	Trainor
Chambers	Harrigan	Loonan	Scanlon	Tuttle
Clark, J. H.	Herrman	Marrin	Schoepflin	Vacheron
Co	Higbie	Matthews	Schulz, F.F.	Vehslage
Corrigan	Hoefler	McKeon	Selbert	Wells
Coughlin	Horton	McNamee	Sheffield	Whittet

Davidson	Hotaling	Messiter	Sherwood	Wieman
Dean	Howe	Mitnacht	Smith, M.F.	Wilcox
Denniston	Hoysradt	Myers	Snyder	Wray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The privileges of the floor were extended to Messrs. M. M. Acker, William B. Ellison, Max Buckner, Jesse Johnson, James W. Boyle, Duncan C. Peck and McGoldrick, former members of this House, and to Hon. George W. Aldredge, mayor of the city of Rochester.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That Assembly bill No. 258 entitled "An act to release to Mary Rose Reilly, the only child and heir at law of Thomas Smith, deceased, the interest of the people of the State of New York in the property, either real or personal, of which Thomas Smith and Owen Smith, or either of them, died possessed " (Int. No. 259), be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Keleher	Porter	Stevens
Babcock	Finnigan	Kelsey	Prescott	Stewart
Baker	Foley	Kern	Rider, J.J.	Stone
Braun	Friday	Kerrigan	Robbins	Sulzer
Brennan	Fuller	Kneeland	Robertson	Terry, C.W.
Burtis	Gardiner	La Fetra	Robinson	Thompson
Bush	Gerst	Lasch	Robson	Thornton
Cahill	Glenn	Lawson	Roche	Tilton
Cain	Gould	Lee	Ryder, E.L.	Tobin
Carroll	Gray	Lounsbury	Schillinger	Trainor
Cassin	Hennessy	Marrin	Schoepflin	Tuttle
Chambers	Higbie	Matthews	Schulz, H	Vacheron
Clark, J. H.	Hobbie	McDermott	Seibert	Van Amber
Corrigan	Hoefler	McNamee	Sheffield	Wells
Coughlin	Horton	Melody	Sherwood	Whittet
Cutler	Hotaling	Mitnacht	Smith, M.F.	Wieman
Dean	Howe	Myers	Smith, S.W.	Wilcox

Denniston	Hoysradt	O'Donnell	Snyder	Wray
Douglas	Keck	O'Grady	Southworth	Wyckoff
Eldredge	Keenan	Parkhurst	Stadtfeld	

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Sheffield, from the committee of conference, submitted the following report :

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 1456) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1210), report that they have duly conferred upon said matters and agreed to recommend as follows :

(Reference to Assembly printed bill.)

Strike out all of the first, tenth, eleventh, twelfth, thirteenth and fourteenth Senate amendments and adopt the second, third, fourth, fifth, sixth, seventh, eighth and ninth Senate amendments.

CLARENCE LEXOW,
H. J. COGGESHALL,
M. T. McMAHON,
Senate Committee.

JAMES R. SHEFFIELD,
HAMILTON FISH,
D. E. AINSWORTH,
JAMES F. REILLY,
JOHN A. HENNESSY,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Parkhurst	Smith, S.W.
Babcock	Dowling	Keleher	Plant	Snyder
Braun	Eldredge	Kelsey	Porter	Stadtfeld
Brownell	Fairbrother	Kern	Prescott	Stein
Burtis	Finnigan	Kerrigan	Reilly	Stewart
Butts	Fish	Kneeland	Rider, J.J.	Stone
Cahill	Foley	Ia Fetra	Robbins	Sulzer
Cain	Friday	Lasch	Robertson	Taylor
Callahan	Fuller	Lawson	Robinson	Terry, J.F.

Carroll	Gardiner	Lee	Robson	Thornton
Cassin	Gleason	Lounsbury	Roche	Tilton
Chambers	Glenn	Loonan	Ryder, E.L.	Tuttle
Chapman	Gould	Marrin	Schillinger	Vacheron
Clark, F.E.	Herrman	McDermott	Schulz, F.F.	Wells
Conklin	Higbie	McKeon	Seibert	Whittet
Coughlin	Hobbie	McNamee	Sheffield	Wieman
Davidson	Hoefer	Melody	Sherwood	Wilcox
Dean	Houghton	Nixon	Smith, M.F.	Wyckoff
Denniston	Howe	O'Grady		

Those who voted in the negative, were

Berry Brennan Trainor

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 26, 1894. }

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill, not printed, entitled "An act appointing a committee to examine into the tenement-house question in the city of New York and to report to the next Legislature." (Int. No. 1453.)

ROSWELL P. FLOWER.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	Parkhurst	Stein
Babcock	Douglas	Keck	Plant	Stevens
Baker	Dowling	Keenan	Prescott	Stewart
Braun	Eldredge	Keleher	Reilly	Stone
Brennan	Fairbrother	Kern	Robbins	Taylor
Burtis	Fish	Kerrigan	Robertson	Terry, C.W.
Bush	Foley	Kneeland	Robinson	Terry, J.F.
Butts	Friday	Lasch	Robson	Thompson
Cahill	Fuller	Lawson	Roche	Thornton

Cain	Gardiner	Lee	Scanlon	Tilton
Carroll	Gleason	Lounsbury	Schillinger	Tobin
Cassin	Glenn	Marrin	Schoepflin	Trainor
Chambers	Gray	Matthews	Schulz, F.F.	Tuttle
Chapman	Hennessy	McDermott	Seibert	Vacheron
Clark, J. H.	Herrman	McKeon	Sheffield	Vehslage
Conklin	Higbie	Melody	Sherwood	Wells
Corrigan	Hobbie	Messiter	Smith, M.F.	Whittet
Cutler	Horton	Mittnacht	Smith, S.W.	Wieman
Davidson	Hotaling	Myers	Snyder	Wilcox
Dean	Houghton	O'Donnell	Southworth	Wray
Denniston	Howe	O'Grady	Stadtfeld	Wyckoff

On motion of Mr. Ainsworth, and by unanimous consent, said bill was amended as follows:

Strike out in section 1 the words "R. Fulton Cutting, Cyrus Edison, Isaac Seligman, George B. Post, James McMahon, Sol Moses and Thomas Byrnes are hereby appointed and created a committee to be known as a tenement-house committee" and insert the words "The Governor shall appoint seven persons, citizens and residents of New York, a committee to be known as the tenement-house committee."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Messiter	Smith, M. F.
Babcock	Denniston	Houghton	Myers	Snyder
Baker	Dinkelspiel	Howe	O'Donnell	Southworth
Berry	Douglas	Keck	O'Grady	Stadtfeld
Braun	Eldredge	Keenan	Parkhurst	Stein
Brennan	Fairbrother	Keleher	Plant	Stevens
Burtis	Finnigan	Kelsey	Porter	Stewart
* Bush	Fish	Kerr	Prescott	Stone
Butts	Foley	Kern	Rider, J.J.	Sulzer
Cahill	Friday	Kerrigan	Robbins	Taylor
Cain	Fuller	Kneeland	Robertson	Terry, C.W.
Callahan	Gerst	La Fetra	Robinson	Thompson
Carroll	Gleason	Lawson	Roche	Thornton
Chambers	Gould	Lee	Ryder, E.L.	Tobin
Chapman	Gray	Lounsbury	Scanlon	Tuttle
Clark, J. H.	Herrman	Marrin	Schillinger	Van Amber

Conklin	Higbie	Matthews	Schoepflin	Wells
Corrigan	Hobbie	McDermott	Schulz, F.F.	Wieman
Coughlin	Hoefler	McKeon	Seibert	Wray
Cutler	Horton	McNamee	Sheffield	Wyckoff
Davidson				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message from the Senate was received and read, in the words following:

IN SENATE, *April* 24, 1894.

Pursuant to concurrent resolution of the Senate and Assembly the Governor returned the Senate bill No. 129, entitled "An act to amend chapter 231 of the Laws of 1873, entitled 'An act to amend the charter of the West Side German Dispensary in the city of New York,' as amended by chapter 427 of the Laws of 1892." (Rec. No. 124.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Cantor, and by unanimous consent, said bill was amended as follows:

Page 1, strike out lines 7 and 8.

Page 2, strike out from line 1 to line 11.

Change section numbers accordingly.

Said bill, as amended, was passed, and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,
Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Myers	Southworth
Babcock	Douglas	Keck	Nixon	Stadtfeld
Baker	Dowling	Keenan	O'Grady	Stein
Berry	Eldredge	Keleher	Parkhurst	Stevens
Braun	Fairbrother	Kelsey	Plant	Stewart
Brennan	Finnigan	Kerr	Porter	Stone
Brownell	Fish	Kern	Rider, J.J.	Sulzer
Bush	Foley	Kerrigan	Robbins	Taylor

Butts	Friday	Kneeland	Robertson	Terry, C.W.
Cain	Fuller	La Fetra	Robinson	Terry, J.F.
Callahan	Gerst	Lasch	Robson	Thompson
Carroll	Gleason	Lawson	Roche	Thornton
Cassin	Glenn	Lee	Ryder, E.L.	Tilton
Chambers	Gould	Lounsbury	Schillinger	Tobin
Clark, F.E.	Gray	Loonan	Schoepflin	Trainor
Clark, J. H.	Hennessy	Marrin	Schulz, F.F.	Vacheron
Conklin	Herrman	Matthews	Seibert	Van Amber
Corrigan	Higbie	McKeon	Sheffield	Wells
Coughlin	Hobbie	McNamee	Sherwood	Wieman
Cutler	Hoefler	Melody	Smith, M.F.	Wilcox
Davidson	Horton	Messiter	Smith, S.W.	Wray
Dean	Houghton	Mittnacht	Snyder	Wyckoff

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 } •

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Parkhurst	Stadtfeld
Babcock	Douglas	Keenan	Plant	Stein
Baker	Dowling	Keleher	Porter	Stevens
Berry	Eldredge	Kelsey	Prescott	Stewart
Braun	Fairbrother	Kerr	Reilly	Stone
Brennan	Finnigan	Kerrigan	Rider, J.J.	Sulzer
Burtis	Fish	Kneeland	Robbins	Taylor
Bush	Foley	Lasch	Robertson	Terry, C.W.
Butts	Fuller	Lawson	Robson	Terry, J.F.
Cahill	Gardiner	Lee	Roche	Thompson
Cain	Gerst	Lounsbury	Ryder, E.L.	Thornton
Callahan	Gleason	Marrin	Scanlon	Tilton
Cassin	Gould	Matthews	Schillinger	Tobin
Chambers	Gray	McDermott	Schulz, F.F.	Trainor
Clark, F.E.	Herrman	McKeon	Seibert	Tuttle
Conklin	Higbie	McNamee	Sheffield	Vacheron
Corrigan	Hobbie	Messiter	Sherwood	Wells
Coughlin	Horton	Mittnacht	Smith, S.W.	Whittet
Cutler	Hotaling	Myers	Snyder	Wilcox
Davidson	Howe	Nixon	Southworth	Wyckoff
Denniston	Hoysradt	O'Donnell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, as amended.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That our Senators and representatives in Congress be requested to make all necessary exertions to secure the passage of an act by that body to provide for the issue to the organized militia of the several States of the United States magazine rifles, model 1892, as soon as the same may be manufactured, upon the basis of troop inspections, and certified to the Adjutant-General of the army.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1533) entitled "An act to amend the railroad law, relating to construction of road in street where the road is built" (Int. No. 1084), with a message that they have concurred in the passage of the same, with the following amendment :

Page 2, line 7 (printed bill), after the word "inhabitants" insert the words "except Long Island City."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	O'Grady	Snyder
Babcock	Eldredge	Keenan	Parkhurst	Southworth
Baker	Fairbrother	Keleher	Plant	Stadtfeld
Braun	Finnigan	Kelsey	Porter	Stein
Brownell	Fish	Kerr	Prescott	Stevens
Burtis	Foley	Kern	Reilly	Stewart
Cahill	Friday	Kerrigan	Rider, J.J.	Stone
Cain	Fuller	Kneeland	Robbins	Sulzer
Callahan	Gardiner	Lasch	Robertson	Taylor
Carroll	Gerst	Lawson	Robson	Thompson
Cassin	Gleason	Lee	Roche	Thornton
Chambers	Glenn	Lounsbury	Ryder, E.L.	Tilton
Clark, F.E.	Gray	Loonan	Scanlon	Trainor
Clark, J.H.	Harrigan	Marrin	Schillinger	Tuttle
Conklin	Herrman	Matthews	Schoepflin	Vacheron

Corrigan	Higbie	McDermott	Schulz, F.F.	Van Amber
Coughlin	Hobbie	McKeon	Schulz, H	Wells
Cutler	Hoefler	Melody	Seibert	Whittet
Davidson	Horton	Messiter	Sheffield	Wieman
Dean	Hotaling	Myers	Sherwood	Wilcox
Denniston	Houghton	Nixon	Smith, M.F.	Wray
Dinkelspiel	Howe	O'Donnell	Smith, S.W.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the Senate bill (No. 982) entitled "An act to amend sections 899 and 911 of the Code of Criminal Procedure, relative to disorderly persons" (Rec. No. 450), with a message that they have non-concurred in the amendments of the Assembly thereto, and have appointed a committee of conference thereon consisting of Messrs. O'Connor, Saxton and McMahon, and request the appointment of a like committee on the part of the Assembly.

Mr. Sulzer moved that the request be granted and that a committee of conference be appointed on the part of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Burtis, Sheffield, Lawson, Sulzer and Hennessy.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have appointed a committee of conference thereon.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof" (No. 981, Rec. No. 509), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	106	}
{	NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Porter	Stewart
Babcock	Douglas	Keck	Prescott	Stone
Baker	Dowling	Keleher	Reilly	Sulzer
Berry	Eldredge	Kelsey	Rider, J.J.	Taylor
Braun	Fairbrother	Kerr	Robbins	Terry, C.W.
Brennan	Fish	Kern	Robertson	Terry, J.F.
Brownell	Friday	Kneeland	Robinson	Thompson
Burtis	Fuller	La Fetra	Robson	Thornton
Bush	Gardiner	Lasch	Roche	Tilton
Butts	Gerst	Lawson	Scanlon	Tobin
Carroll	Gleason	Lee	Schoepflin	Trainor
Cassin	Glenn	Lounsbury	Schulz, F.F.	Tuttle
Chambers	Gould	Loonan	Schulz, H	Vacheron
Chapman	Gray	Matthews	Seibert	Van Amber
Clark, F.E.	Herrman	McKeon	Sherwood	Vehslage
Clark, J. H.	Higbie	Melody	Smith, M.F.	Wells
Conklin	Hobbie	Messiter	Smith, S.W.	Whittet
Coughlin	Hoefler	Nixon	Snyder	Wieman
Cutler	Horton	O'Donnell	Southworth	Wilcox
Davidson	Hotaling	O'Grady	Stadtfeld	Wray
Dean	Houghton	Plant	Stein	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 969) entitled "An act to amend chapter 332 of the Laws of 1893, entitled 'An act in relation to the forest preserve and Adirondack park, constituting articles 6 and 7 of chapter 43 of the general laws'" (Int. No. 880), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all of section 2, of engrossed bill, and make "section 3" read "section 2."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keck	O'Grady	Southworth
Babcock	Dowling	Keenan	Parkhurst	Stadtfeld
Baker	Eldredge	Keleher	Plant	Stein
Berry	Fairbrother	Kelsey	Porter	Stevens
Braun	Fish	Kerr	Prescott	Stewart
Brennan	Foley	Kern	Reilly	Stone
Burtis	Friday	Kerrigan	Robbins	Sulzer
Bush	Fuller	Kneeland	Robertson	Taylor
Butts	Gardiner	La Fetra	Robinson	Terry, C.W
Cain	Gerst	Lasch	Robson	Thompson
Callahan	Glenn	Lawson	Roche	Thornton
Carroll	Gould	Lounsbury	Ryder, E.L.	Tilton
Cassin	Gray	Loonan	Scanlon	Trainor
Chapman	Herrman	Matthews	Schillinger	Tuttle
Clark, J. H.	Higbie	McDermott	Schoepflin	Vacheron
Conklin	Hobbie	McKeon	Schulz, H	Vehslage
Corrigan	Hoefler	McNamee	Seibert	Wells
Coughlin	Horton	Messiter	Sheffield	Whittet
Cutler	Hotaling	Mittnacht	Sherwood	Wieman
Davidson	Houghton	Nixon	Smith, S.W.	Wray
Dean	Howe	O'Donnell	Snyder	Wyckoff
Denniston	Hoysradt			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter 398 of the Laws of 1892, entitled 'An act to provide for a convention to revise and amend the Constitution,' as amended by chapter 8 of the Laws of 1893" (No. 1107, Rec. No. 515), which was read the first time.

Mr. Sulzer asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Parkhurst	Stein
Babcock	Dowling	Keck	Plant	Stevens
Baker	Eldredge	Keenan	Porter	Stewart
Berry	Fairbrother	Keleher	Prescott	Stone
Braun	Finnigan	Kelsey	Reilly	Taylor
Brennan	Fish	Kerr	Robbins	Terry, G.W.
Brownell	Foley	Kern	Robertson	Terry, J.F.
Burtis	Friday	Kneeland	Robson	Thompson
Butts	Fuller	La Fetra	Roche	Thornton
Cahill	Gerst	Lawson	Scanlon	Tilton
Cain	Gleason	Lee	Schillinger	Tobin
Callahan	Glenn	Lounsbury	Schulz, F.F.	Tuttle
Cassin	Gould	Loonan	Schulz, H	Vacheron
Chambers	Gray	Marrin	Sheffield	Vehslage
Clark, J. H.	Harrigan	Matthews	Sherwood	Wells
Conklin	Herrman	McDermott	Smith, M.F.	Whittet
Corrigan	Higbie	McNamee	Smith, S.W.	Wieman
Coughlin	Hobbie	Melody	Snyder	Wilcox
Cutler	Hoefler	Mitnacht	Southworth	Wray
Davidson	Hotaling	Myers	Stadtfeld	Wyckoff
Denniston	Houghton	O'Donnell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act to exempt the property of Grand Army posts from taxation" (No. 823, Rec. No. 514), which was read the first time.

Mr. Ainsworth asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keenan	Parkhurst	Stadtfeld
Babcock	Dinkelspiel	Kelsey	Plant	Stein
Baker	Douglas	Kern	Porter	Stevens

Berry	Eldredge	Kerrigan	Prescott	Stone
Braun	Fairbrother	Lasch	Robbins	Sulzer
Brennan	Finnigan	Lawson	Robertson	Terry, C.W.
Brownell	Fish	Lee	Robson	Terry, J.F.
Burtis	Friday	Lounsbury	Roche	Thompson
Butts	Gardiner	Loonan	Ryder, E.L.	Thornton
Cain	Gerst	Marrin	Scanlon	Tilton
Callahan	Gleason	Matthews	Schoepflin	Trainor
Carroll	Glenn	McKeon	Schulz, H	Tuttle
Cassin	Gould	McNamee	Seibert	Vacheron
Chambers	Herrman	Messiter	Sheffield	Van Amber
Clark, J. H.	Higbie	Mittnacht	Sherwood	Wells
Conklin	Hobbie	Myers	Smith, M.F.	Whittet
Corrigan	Hoefler	Nixon	Smith, S.W.	Wieman
Coughlin	Horton	O'Donnell	Snyder	Wilcox
Cutler	Hoysradt	O'Grady	Southworth	Wyckoff
Dean	Keck			

Those who voted in the negative, were

Bush Foley Fuller

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1516) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to Saint John's Guild" (Int. No. 1317), with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 10, printed bill, add the following to section 1:

"And to the sanitarium for Hebrew children in the city of New York the sum of \$5,000, to be applied to the support of its charitable work."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Myers	Stein
Babcock	Dinkelspiel	Hotaling	O'Donnell	Stevens
Baker	Dowling	Houghton	O'Grady	Stewart

Berry,	Dean	Hoysradt	Plant	Stone
Braun	Eldredge	Keck	Reilly,	Taylor
Brownell	Fairbrother,	Keenan.	Robbins	Terry, C.W.
Burtis.	Fish	Keleher	Robertson	Terry, J.F.
Butts	Foley	Kelsey	Robson	Thompson.
Cahill	Fuller	Kerr	Ryder, E.L.	Thornton.
Cain	Gardiner	Kern	Scanlon	Tilton.
Callahan.	Gerst	Kerrigan	Schoepflin	Trainor
Carroll	Glenn	La Fetra.	Schulz, F.F.	Tuttle.
Chambers	Gould	Lawson	Schulz, H.	Van Amber
Clark, F.E.	Gray	Loonan	Sheffield	Wells
Conklin	Harrigan	Marrin	Sherwood	Whittet.
Corrigan.	Herrman	McDermott	Smith, M.F.	Wieman
Coughlin	Higbie	McNamee	Smith, S.W.	Wilcox.
Cutler	Hobbie	Melody	Snyder	Wray
Davidson	Hoefler	Mittnacht	Stadtfeld	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate sent for concurrence the following entitled bill :

“An act to legalize all assessments for local improvements heretofore made in the city of Watertown” (No. 962, Rec. No. 497), which was read the first time.

Mr. Speaker asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Plant	Stein
Babcock	Dinkelspiel	Keck	Porter	Stevens
Baker	Douglas	Keenan	Prescott	Stone
Berry	Dowling	Keleher	Reilly	Sulzer
Braun	Eldredge	Kelsey	Rider, J.J.	Taylor
Brennan	Fairbrother	Kerr	Robbins	Terry, C.W.
Brownell	Fish	Kern	Robertson	Terry, J.F.
Burtis	Friday	Kneeland	Robinson	Thompson

Bush	Fuller	La Fetra	Robson	Thornton
Butts	Gardiner	Lasch	Roche	Tilton
Cahill	Gerst	Lawson	Ryder, E.L.	Tobin
Callahan	Gleason	Lee	Scanlon	Trainor
Carroll	Glenn	Lounsbury	Schoepflin	Tuttle
Cassin	Gould	Matthews	Schulz, F.F.	Vacheron
Chambers	Gray	McDermott	Schulz, H	Van Amber
Chapman	Herrman	McKeon	Seibert	Vehslage
Clark, F.E.	Higbie	Messiter	Sherwood	Wells
Clark, J. H.	Hobbie	Mitnacht	Smith, M.F.	Whittet
Conklin	Hoefer	Myers	Smith, S.W.	Wieman
Corrigan	Horton	Nixon	Snyder	Wilcox
Cutler	Hotaling	O'Grady	Southworth	Wray
Davidson	Houghton	Parkhurst	Stadtfeld	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read, in the words following :

IN SENATE, *April 26, 1894.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 618) entitled "An act to amend title 10 of part 6 of the Code of Criminal Procedure, in relation to criminal statistics, and to repeal section 1592 of chapter 410 of the Laws of 1882." (Rec. No. 340.)

The vote on the final passage of said bill having been reconsidered,

On motion of Mr. Bradley, and by unanimous consent, said bill was amended as follows :

(Reference to engrossed bill.)

In schedule of contents to amended title 10 strike out the line reading "942. Magistrates to furnish statement to clerk" and insert the words "942. Clerk of Court of Special Sessions in the city and county of New York to furnish statement to Secretary of State."

From the end of amended section 941 strike out the last sentence reading as follows : "If a grand jury has been in attendance at any such court, the district attorney shall include in such statement a designation of the persons by numerals and not by name, who had given bail to appear before such grand jury, or against whom complaint has been made and presented to such grand jury for action, and against whom no indictment has been found, specifying the nature of the offense charged."

Strike out all of the amended section 942 and insert the following :

"§ 942. Clerk of Court of Special Sessions in the city and

county of New York to furnish statement to Secretary of State. The clerk or the deputy clerk of the Court of Special Sessions in the city and county of New York shall, on or before the first day of February, 1895, and quarterly thereafter, transmit to the Secretary of State a tabulated and certified statement, in the form prescribed by the Secretary of State, containing the name of every person convicted of a crime in such court after October 31, 1894, and since the date of the closing of each last preceding quarterly report; a description of the offense of which such person was convicted; whether the conviction was upon a trial or upon a plea of guilty; and the date of the conviction."

Strike out the amended section 943 and insert the following:

"§ 943. On or before the 1st day of February, 1895, and quarterly thereafter, the clerk of each county shall transmit to the Secretary of State a tabulated and certified statement, in the form prescribed by the Secretary of State, of all the matters contained in the statements filed with such clerk by the district attorney of such county, after October 31, 1894, and of the name of each person shown to be convicted by a court of special sessions by the certificate of conviction filed with him by magistrates holding courts of special sessions after October 31, 1894, and since the date of the closing of each last preceding quarterly report made after October 31, 1894, and showing the offense for which each person was so convicted, whether the conviction was upon a trial or upon a plea of guilty; the sentence imposed thereon; and the date of conviction."

In amended section 946, line 6, strike out the words "and by such justices or magistrates."

Same section, line 10, strike out "and to each of such justices or magistrates having criminal jurisdiction in the county."

And, as amended, was passed and ordered sent to the Assembly for concurrence.

By order.

JOHN S. KENYON,

Clerk.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Horton	O'Donnell	Stadtfeld
Babcock	Denniston	Houghton	O'Grady	Stein
Baker	Dinkelspiel	Howe	Parkhurst	Stone

Berry	Dowling	Hoysradt	Porter	Sulzer
Braun	Davidson	Keck	Prescott	Taylor
Brennan	Dinkelspiel	Keleher	Rider, J.J.	Terry, C. W.
Brownell	Eldredge	Kelsey	Robbins	Terry, J.F.
Burtis	Fairbrother	Kerr	Robertson	Thompson
Bush	Finnigan	Kern	Robinson	Thornton
Butts	Fish	Kneeland	Robson	Tilton
Callahan	Foley	La Fetra	Roche	Tobin
Carroll	Friday	Lasch	Scanlon	Tuttle
Cassin	Fuller	Lawson	Schoepflin	Vacheron
Chambers	Gardiner	Lee	Schulz, F.F.	Van Amber
Chapman	Glenn	Lounsbury	Schulz, H	Wells
Clark, F.E.	Gould	Matthews	Sherwood	Whittet
Clark, J. H.	Gray	McDermott	Smith, M.F.	Wieman
Conklin	Herrman	McKeon	Smith, S.W.	Wilcox
Corrigan	Higbie	McNamee	Snyder	Wray
Coughlin	Hobbie	Messiter	Southworth	Wyckoff
Cutler	Hoefler			

Mr. Ainsworth moved that the House concur in said amendments.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Grady	Stewart
Babcock	Denniston	Howe	Parkhurst	Stone
Baker	Douglas	Keck	Plant	Sulzer
Berry	Dowling	Keleher	Porter	Taylor
Braun	Eldredge	Kelsey	Prescott	Terry, C.W.
Brennan	Fairbrother	Kerr	Reilly	Terry, J.F.
Brownell	Fish	Kern	Rider, J.J.	Thompson
Burtis	Foley	Kerrigan	Robbins	Thornton
Bush	Friday	Kneeland	Robertson	Tilton
Butts	Fuller	La Fetra	Robson	Tobin
Carroll	Gardiner	Lasch	Roche	Trainor
Cassin	Gleason	Lawson	Scanlon	Tuttle
Chambers	Glenn	Lee	Schulz, F.F.	Vacheron
Chapman	Gould	Lounsbury	Schulz, H	Van Amber
Clark, F.E.	Gray	Matthews	Sherwood	Vehslage
Clark, J. H.	Hennessy	McDermott	Smith, M.F.	Wells
Conklin	Herrman	McNamee	Smith, S.W.	Wieman

Corrigan	Higbie	Melody	Snyder	Wilcox
Coughlin	Hobbie	Messiter	Southworth	Wray
Cutler	Horton	Mittnacht	Stadtfeld	Wyckoff
Davidson	Hotaling	Nixon	Stein	

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same, as amended.

Mr. Fish in the chair.

The Senate bill (No. 561) entitled "An act to authorize and provide for the construction of a tunnel under Newtown creek, for the purpose of public travel between the counties of Kings and Queens" (Rec. No. 401), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	79	}
{	NOES	12	}

Those who voted in the affirmative, were

Ainsworth	Clark, J. H.	Gould	Matthews	Schoepflin
Babcock	Conklin	Gray	McDermott	Schulz, H
Baker	Corrigan	Hennessy	McKeon	Smith, M.F.
Berry	Coughlin	Herrman	McNamee	Smith, S.W.
Braun	Cutler	Hobbie	Melody	Southworth
Brennan	Davidson	Hoefer	Messiter	Stadtfeld
Brownell	Dean	Horton	Nixon	Stein
Burtis	Denniston	Hotaling	O'Donnell	Sulzer
Bush	Dinkelspiel	Houghton	O'Grady	Terry, C.W.
Butts	Dowling	Howe	Parkhurst	Tilton
Cahill	Eldredge	Kerr	Plant	Tobin
Carroll	Foley	Kern	Porter	Trainor
Cassin	Friday	Lasch	Prescott	Tuttle
Chambers	Fuller	Lawson	Reilly	Wells
Chapman	Gerst	Loonan	Rider, J.J.	Wieman
Clark, F.E.	Glenn	Marrin	Roche	

Those who voted in the negative, were

Fairbrother	Kneeland	Robinson	Sheffield	Thornton
Fish	Lee	Scanlon	Stone	Vacheron
Kelsey	Robbins			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 961) entitled "An act to authorize the construction of a new bridge connecting Pelham Bay park with City Island in the county of Westchester" (Rec. No. 437), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	Parkhurst	Stein
Babcock	Dinkelspiel	Keenan	Plant	Stewart
Baker	Dowling	Keleher	Porter	Stone
Berry	Eldredge	Kelsey	Prescott	Sulzer
Braun	Fairbrother	Kerr	Reilly	Taylor
Brennan	Fish	Kern	Rider, J.J.	Terry, G.W.
Brownell	Friday	Kneeland	Robbins	Terry, J. F.
Burtis	Fuller	La Fetra	Robertson	Thompson
Bush	Gardiner	Lasch	Robson	Thornton
Butts	Gerst	Lawson	Roche	Tilton
Cahill	Glenn	Lee	Ryder, E.L.	Trainor
Cain	Gould	Lounsbury	Scanlon	Tuttle
Callahan	Gray	Matthews	Schoepflin	Vacheron
Carroll	Herrman	McKeon	Schulz, F.F.	Van Amber
Cassin	Higbie	McNamee	Seibert	Vehslage
Clark, F.E.	Hobbie	Melody	Sherwood	Wells
Clark, J.H.	Hoeffler	Messiter	M. F. Smith	Whittet
Conklin	Horton	Mitnacht	Smith, S.W.	Wieman
Corrigan	Hotaling	Nixon	Snyder	Wilcox
Coughlin	Houghton	O'Donnell	Southworth	Wray
Davidson	Howe	O'Grady	Stadtfeld	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to provide for

the acquisition of the lands for public use between Tenth avenue and other streets and the Hudson river, in the city of New York adjoining, and in addition to the lands authorized to be acquired by chapter 249 of the Laws of 1890, and chapter 102 of the Laws of 1893" (Rec. No. 486), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stein
Babcock	Dinkelspiel	Keck	Parkhurst	Stewart
Baker	Dowling	Keleher	Porter	Stone
Berry	Eldredge	Kelsey	Prescott	Sulzer
Braun	Finnigan	Kerr	Reilly	Terry, C.W.
Brennan	Fish	Kern	Rider, J.J.	Terry, J.F.
Brownell	Foley	Kerrigan	Robbins	Thompson
Burtis	Friday	Kneeland	Robertson	Thornton
Bush	Fuller	Lasch	Robson	Tilton
Butts	Gardiner	Lawson	Roche	Tobin
Carroll	Gerst	Lee	Ryder, E.L.	Trainor
Cassin	Gleason	Lounsbury	Scanlon	Tuttle
Chambers	Glenn	Marrin	Schoepflin	Vacheron
Chapman	Gould	Matthews	Schulz, F.F.	Van Amber
Clark, F.E.	Gray	McDermott	Schulz, H	Wells
Clark, J. H.	Higbie	McKeon	Sherwood	Whittet
Conklin	Hobbie	Melody	Smith, M.F.	Wieman
Corrigan	Hoefer	Messiter	Smith, S.W.	Wilcox
Cutler	Horton	Mitnacht	Snyder	Wray
Davidson	Hotaling	Nixon	Southworth	Wyckoff
Dean	Houghton	O'Donnell	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 366) entitled "An act to provide for the erection of a statue of Major-General Frederick William, Baron Steuben, in the county of Steuben" (Rec. No. 484), was read the second time.

On motion of Mr. Sulzer, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keenan	Porter	Stewart
Babcock	Dowling	Keleher	Prescott	Stone
Baker	Eldredge	Kelsey	Reilly	Sulzer
Berry	Fish	Kerr	Rider, J.J.	Taylor
Braun	Foley	Kern	Robbins	Terry, C.W.
Brennan	Friday	Kneeland	Robertson	Terry, J.F.
Brownell	Fuller	La Fetra	Robinson	Thompson
Burtis	Gardiner	Lasch	Robson	Thornton
Bush	Gerst	Lawson	Roche	Tilton
Butts	Gleason	Lee	Ryder, E.L.	Tobin
Cain	Glenn	Lounsbury	Scanlon	Trainor
Callahan	Gould	Marrin	Schoepflin	Tuttle
Carroll	Gray	Matthews	Schulz, F.F.	Vacheron
Cassin	Herrman	McKeon	Schulz, H	Van Amber
Chambers	Higbie	McNamee	Sheffield	Vehslage
Clark, F.E.	Hobbie	Melody	Sherwood	Wells
Clark, J. H.	Hoefler	Messiter	Smith, M.F.	Whittet
Conklin	Horton	Mittnacht	Smith, S.W.	Wieman
Cutler	Hotaling	Myers	Snyder	Wilcox
Davison	Houghton	Nixon	Southworth	Wray
Dean	Howe	Parkhurst	Stadtfeld	Wyckoff
Denniston	Keck	Plant	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act in relation to the enlargement of Hoffman Island and making an appropriation therefor" (Rec. No. 478), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Howe	Porter	Stein
Babcock	Dowling	Keck	Prescott	Stone
Baker	Eldredge	Keleher	Reilly	Sulzer
Berry	Fish	Kelsey	Rider, J.J.	Taylor
Braun	Foley	Kerr	Robertson	Terry, C.W.
Brennan	Friday	Kern	Robson	Terry, J.F.
Bush	Fuller	Lasch	Roche	Thompson
Butts	Gardiner	Lawson	Ryder, E.L.	Thornton
Carroll	Gerst	Lee	Scanlon	Tilton
Cassin	Gleason	Lounsbury	Schoepflin	Tuttle
Chambers	Glenn	Matthews	Schulz, F.F.	Vacheron
Chapman	Gould	McDermott	Sheffield	Van Amber
Clark, F.E.	Gray	McKeon	Sherwood	Wells
Clark, J. H.	Higbie	McNamee	Smith, M.F.	Whittet
Conklin	Hobbie	Messiter	Smith, S.W.	Wieman
Corrigan	Hoefler	Nixon	Snyder	Wilcox
Davidson	Horton	O'Grady	Southworth	Wray
Dean	Hotaling	Parkhurst	Stadtfeld	Wyckoff
Denniston	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 907) entitled "An act to authorize the city of Mount Vernon, Westchester county, to acquire and complete a system of water-works to supply said city with pure and wholesome water and to issue bonds of said city in payment therefor" (Rec. No. 305), having been announced for a second reading,

On request of Mr. Berry, said bill was laid aside.

The Senate bill (No. 915) entitled "An act to grant and release to William Baker all the right, title and interest of the people of the State of New York in and to certain real estate in the city of Buffalo" (Rec. No. 444), was read the second time.

On motion of Mr. Whittet, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Howe	Parkhurst	Stadtfeld
Babcock	Eldredge	Keck	Porter	Stein
Baker	Fairbrother	Keleher	Prescott	Stevens
Berry	Fish	Kelsey	Reilly	Stewart
Braun	Foley	Kerr	Rider, J.J.	Stone
Brennan	Friday	Kern	Robbins	Taylor
Brownell	Fuller	Kneeland	Robertson	Terry, C W.
Burtis	Gardiner	Lasch	Robson	Terry, J.F.
Bush	Gerst	Lawson	Roche	Thompson
Butts	Gleason	Lee	Ryder, E.L.	Thornton
Carroll	Glenn	Lounsbury	Scanlon	Tilton
Cassin	Gould	Loonan	Schillinger	Trainor
Chapman	Gray	Matthews	Schoepflin	Tuttle
Clark, F.E.	Herrman	McDermott	Schulz, F.F.	Van Amber
Clark, J. H.	Higbie	McKeon	Schulz, H	Wells
Conklin	Hobbie	McNamee	Seibert	Whittet
Corrigan	Hoefer	Melody	Smith, M.F.	Wieman
Cutler	Horton	Messiter	Smith, S.W.	Wray
Davidson	Hotaling	Nixon	Snyder	Wyckoff
Dean	Houghton	O'Grady	Southworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1059) entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof'" (Rec. No. 442), was read the second time.

On motion of Mr. E. L. Ryder, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 104 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Howe	Parkhurst	Stein
Babcock	Dowling	Keck	Porter	Stone
Baker	Eldredge	Keleher	Prescott	Sulzer
Berry	Fairbrother	Kelsey	Reilly	Ferry, C.W.
Braun	Fish	Kerr	Rider, J.J.	Terry, J.F.
Brennan	Foley	Kern	Robbins	Thompson
Brownell	Friday	Kneeland	Robertson	Thornton
Burtis	Fuller	La Fetra	Robson	Tilton
Cain	Gerst	Lasch	Roche	Tobin
Callahan	Gleason	Lawson	Ryder, E.L.	Trainor
Carroll	Glenn	Lee	Scanlon	Tuttle
Cassin	Gould	Lounsbury	Schillinger	Vacheron
Chambers	Gray	Marrin	Schoepflin	Van Amber
Chapman	Harrigan	Matthews	Schulz, F.F.	Vehslage
Clark, F.E.	Herrman	McDermott	Schulz, H	Wells
Conklin	Higbie	McKeon	Seibert	Whittet
Corrigan	Hobbie	Melody	Smith, M.F.	Wieman
Cutler	Hoefer	Messiter	Smith, S.W.	Wilcox
Davidson	Horton	Mitnacht	Snyder	Wray
Dean	Hotaling	Nixon	Southworth	Wyckoff
Dinkelspiel	Houghton	O'Grady	Stadtfeld	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1101) entitled "An act to provide for the construction of a building for hospital purposes in the city of New York" (Rec. No. 467), was read the second time.

On motion of Mr. Stein, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 103 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Grady	Snyder
Babcock	Denniston	Howe	Parkhurst	Southworth
Baker	Dinkelspiel	Keck	Plant	Stadtfeld

Berry	Douglas	Keenan	Porter	Stein
Braun	Eldredge	Keleher	Prescott	Stone
Brennan	Finnigan	Kelsey	Reilly	Sulzer
Burtis	Fish	Kerr	Robbins	Taylor
Bush	Foley	Kern	Robertson	Terry, J.F.
Butts	Friday	Kneeland	Robinson	Thompson
Cahill	Fuller	La Fetra	Robson	Thornton
Cain	Gardiner	Lasch	Roche	Tilton
Callahan	Glenn	Lawson	Ryder, E.L.	Trainor
Carroll	Gould	Lounsbury	Scanlon	Tuttle
Chambers	Gray	Loonan	Schoepflin	Van Amber
Chapman	Harrigan	Matthews	Schulz, F.F.	Wells
Clark, J. H.	Herrman	McKeon	Seibert	Whittet
Conklin	Higbie	McNamee	Sheffield	Wieman
Corrigan	Hobbie	Messiter	Sherwood	Wilcox
Coughlin	Hoefler	Mittnacht	Smith, M.F.	Wray
Cutler	Horton	Nixon	Smith, S.W.	Wyckoff
Davidson	Hotaling	O'Donnell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act in relation to common schools in the city of Elmira" (Rec. No. 488), was read the second time.

On motion of Mr. Snyder, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Mittnacht	Smith, M.F.
Babcock	Douglas	Howe	Myers	Smith, S. W.
Baker	Dowling	Keck	O'Donnell	Snyder
Berry	Eldredge	Keenan	O'Grady	Stadtfeld
Braun	Fairbrother	Keleher	Parkhurst	Stein
Brennan	Finnigan	Kelsey	Plant	Stevens
Brownell	Fish	Kerr	Porter	Stewart
Bush	Foley	Kern	Prescott	Stone
Butts	Friday	Kneeland	Reilly	Thompson

Cahill	Fuller	La Fetra	Robbins	Thornton
Cain	Gerst	Lasch	Robertson	Tilton
Callahan	Gleason	Lawson	Robinson	Trainor
Cassin	Glenn	Lounsbury	Robson	Tuttle
Chambers	Gould	Loonan	Roche	Van Amber
Clark, F.E.	Gray	Marrin	Scanlon	Vehslage
Conklin	Herrman	Matthews	Schillinger	Wells
Corrigan	Higbie	McDermott	Schulz, F.F.	Whittet
Coughlin	Hobbie	McKeon	Seibert	Wieman
Cutler	Hoefler	Melody	Sheffield	Wray
Davidson	Horton	Messiter	Sherwood	Wyckoff
Dean	Hotaling			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved that Senate bill No. 1606, Rec. No. 512, be substituted for Assembly bill No. 1740, Int. No. 1489, entitled "An act to further inquire into the existence of tuberculosis in cattle."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 320) entitled "An act to repeal chapter 414 of the Laws of 1892, entitled 'An act to amend section 2 of chapter 299 of the Laws of 1890, entitled An act to provide for the erection of a building for certain purposes relating to the public interest in the city of New York, amending chapter 323 of the Laws of 1888'" (Rec. No. 465), was read the second time.

On motion of Mr. Ainsworth, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	94 }
{ NOES	2 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Houghton	Melody	Snyder
Babcock	Denniston	Howe	Messiter	Southworth
Baker	Dinkelspiel	Keck	Myers	Stein
Berry	Douglas	Keenan	Nixon	Stevens

Braun	Dowling	Keleher	O'Donnell	Stewart
Brennan	Eldredge	Kelsey	O'Grady	Stone
Burtis	Finnigan	Kerr	Parkhurst	Taylor
Bush	Fish	Kern	Plant	Terry, J.F.
Butts	Foley	Kerrigan	Rider, J.J.	Thompson
Cahill	Friday	La Fetra	Robertson	Thornton
Cain	Gardiner	Lasch	Robinson	Tilton
Carroll	Gerst	Lawson	Roche	Tuttle
Cassin	Glenn	Lounsbury	Scanlon	Van Amber
Chambers	Gould	Loonan	Schoepflin	Vehslage
Chapman	Gray	Marrin	Schulz, H	Whittet
Clark, J. H.	Herrman	Matthews	Seibert	Wieman
Conklin	Higbie	McDermott	Sheffield	Wray
Coughlin	Hoefler	McKeon	Sherwood	Wyckoff
Cutler	Horton	McNamee	Smith, M.F.	

Those who voted in the negative, were

Sulzer Trainor

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1076) entitled "An act to provide for the selection, laying out, construction and maintenance of a public driveway and parkway, and for the acquisition of riparian rights in connection therewith, in any county of this State which contains a city, the population of which city is in excess of 800,000, and the boundaries of which city are not coterminus with those of said county, and also providing the means of payment therefor, and maintenance therefor, and creating a department of parks for said county" (Rec. No. 481), was read the second time.

On motion of Mr. Taylor, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Kelsey	Porter	Stadtfeld
Babcock	Eldredge	Kern	Prescott	Stevens
Baker	Fairbrother	Kerrigan	Reilly	Stewart

Berry	Finnigan	Kneeland	Rider, J.J.	Stone
Braun	Fish	La Fetra	Robbins	Sulzer
Brownell	Foley	Lasch	Robertson	Taylor
Burtis	Friday	Lawson	Robson	Terry, C.W.
Bush	Gardiner	Lounsbury	Roche	Terry, J.F.
Butts	Gerst	Loonan	Ryder, E.L.	Thompson
Cahill	Glenn	Marrin	Scanlon	Thornton
Cain	Gould	Matthews	Schillinger	Tobin
Carroll	Gray	McKeon	Schoepflin	Trainor
Chambers	Herrman	Melody	Schulz, H	Vacheron
Clark, J. H.	Higbie	Messiter	Seibert	Vehsiage
Conklin	Hobbie	Mittnacht	Sheffield	Wells
Coughlin	Horton	Myers	Sherwood	Whittet
Cutler	Hotaling	Nixon	Smith, M.F.	Wieman
Dean	Howe	O'Donnell	Smith, S.W.	Wray
Denniston	Keck	O'Grady	Snyder	Wyckoff
Dinkelspiel	Keenan	Plant	Southworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same. .

The Senate bill (No. 1074) entitled "An act to amend chapter 339 of the Laws of 1892, entitled 'An act to regulate, improve and enlarge Park avenue above One Hundred and Sixth street, in the city of New York, and providing for the passage of intersecting streets under the railroad structure of the New York and Harlem Railroad Company, and for the elevation of said railroad structure, and for changing the grade of said railroad, and for the construction of a new railroad bridge at an increased elevation over the Harlem river, and providing for all changes in any avenues, streets or railroads that may be necessary by reason of such change in structure and grade and increased elevation of bridge, and for other purposes'" (Rec. No. 469), having been announced for a second reading,

On motion of Mr. Davidson, said bill was amended as follows:

Page 4, line 19 (printed bill), after the word "dollars" insert the words "of such additional expense."

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	O'Grady	Southworth
Babcock	Dowling	Howe	Parkhurst	Stein
Baker	Eldredge	Keck	Plant	Stevens
Berry	Fairbrother	Keleher	Porter	Stewart
Braun	Finnigan	Kelsey	Prescott	Stone
Brennan	Fish	Kerr	Rider, J.J.	Sulzer
Burtis	Foley	Kern	Robbins	Taylor
Bush	Friday	Kneeland	Robertson	Terry, C.W.
Butts	Fuller	La Fetra	Robinson	Thompson
Cahill	Gardiner	Lawson	Robson	Thornton
Callahan	Gerst	Lounsbury	Roche	Tilton
Cassin	Gleason	Loonan	Scanlon	Trainor
Chambers	Gould	Marrin	Schillinger	Tuttle
Clark, J. H.	Gray	Matthews	Schulz, F.F.	Vacheron
Conklin	Herrman	McDermott	Seibert	Van Amber
Corrigan	Higbie	McNamee	Sheffield	Wells
Cutler	Hobbie	Messiter	Sherwood	Whittet
Davidson	Hoefer	Mittnacht	Smith, M.F.	Wilcox
Dean	Horton	Nixon	Smith, S.W.	Wray
Denniston	Hotaling	O'Donnell	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with an amendment.

The Senate bill (No. 873) entitled "An act to provide for the compulsory education of children" (Rec. No. 320), was read the second time.

On motion of Mr. J. H. Clark, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
 { NOES 13 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hobbie	Loonan	Schulz, H
Babcock	Denniston	Hoefer	Matthews	Seibert
Baker	Dinkelspiel	Horton	McKeon	Sheffield

Berry	Douglas	Hotaling	Melody	Sherwood
Braun	Eldredge	Howe	Messiter	Smith, M.F.
Brownell	Fish	Keck	Myers	Snyder
Burtis	Foley	Keleher	Nixon	Stein
Butts	Friday	Kelsey	O'Donnell	Stone
Cahill	Fuller	Kerr	O'Grady	Sulzer
Callahan	Gardiner	Kern	Parkhurst	Taylor
Chambers	Gerst	Kerrigan	Prescott	Terry, J.F.
Clark, J. H.	Glenn	Kneeland	Robbins	Thornton
Conklin	Gould	Lasch	Robson	Tilton
Coughlin	Gray	Lawson	Schoepflin	Tuttle
Cutler	Harrigan	Lounsbury	Schulz, F.F.	Wyckoff
Davidson	Herrman			

Those who voted in the negative, were

Brennan	Corrigan	Gleason	La Petra	McNamee
Bush	Dowling	Hennessy	McDermott	Schillinger
Carroll	Finnigan	Keenan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 598) entitled "An act in relation to Long Island City school buildings" (Rec. No. 369), was read the second time.

On motion of Mr. Higbie, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keck	Nixon	Snyder
Babcock	Fairbrother	Keenan	O'Donnell	Southworth
Baker	Finnigan	Keleher	O'Grady	Stadtfeld
Berry	Fish	Kelsey	Parkhurst	Stein
Braun	Foley	Kerr	Plant	Stevens
Brennan	Friday	Kern	Porter	Stewart
Brownell	Fuller	Kneeland	Prescott	Stone
Burtis	Gardiner	Lasch	Rider, J.J.	Taylor
Bush	Gleason	Lawson	Robbins	Terry, J.F.

Cahill	Glenn	Lee	Robertson	Thompson
Callahan	Gould	Lounsbury	Robinson	Thornton
Cassin	Gray	Loonan	Robson	Tilton
Chambers	Harrigan	Marrin	Roche	Trainor
Clark, F.E.	Herrman	Matthews	Scanlon	Van Amber
Conklin	Higbie	McDermott	Schillinger	Vehslage
Corrigan	Hobbie	McKeon	Schoepflin	Wells
Cutler	Hoeffer	McNamee	Schulz, F. F.	Whittet
Davidson	Horton	Melody	Seibert	Wilcox
Dean	Hotaling	Messiter	Sheffield	Wray
Denniston	Houghton	Mitnacht	Sherwood	Wyckoff
Douglas	Hoysradt	Myers	Smith, M.F.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 794) entitled "An act to provide for the printing of an additional number of volume five of the report of the Senate committee on cities" (Rec. No. 470), was read the second time.

On motion of Mr. Brownell, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Mitnacht	Snyder
Babcock	Douglas	Houghton	Myers	Southworth
Baker	Dowling	Howe	O'Donnell	Stein
Berry	Eldredge	Hoysradt	O'Grady	Stevens
Braun	Fairbrother	Keck	Parkhurst	Stewart
Brownell	Finnigan	Keenan	Plant	Stone
Burtis	Fish	Keleher	Porter	Taylor
Bush	Foley	Kelsey	Prescott	Terry, C.W.
Cahill	Friday	Kern	Reilly	Terry, J.F.
Cain	Fuller	Kerrigan	Robbins	Thompson
Callahan	Gardiner	La Fetra	Robinson	Tilton
Cassin	Gerst	Lasch	Robson	Tobin
Chambers	Gleason	Lawson	Ryder, E.L.	Tuttle
Clark, F.E.	Gould	Lounsbury	Schillinger	Vacheron

Clark, J. H.	Gray	Loonan	Schoepflin	Van Amber
Conklin	Harrigan	Marrin	Schulz, F.F.	Wells
Corrigan	Herrman	Matthews	Seibert	Whittet
Coughlin	Higbie	McDermott	Sheffield	Wilcox
Cutler	Hobbie	McKeon	Sherwood	Wray
Davidson	Hoefler	McNamee	Smith, S.W.	Wyckoff
Dean	Horton	Messiter		

In the negative,

Sulzer

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 574) entitled "An act authorizing the construction of new buildings at Sing Sing prison, making an appropriation therefor and authorizing the expending of certain moneys for that purpose" (Rec. No. 440), was read the second time.

On motion of Mr. E. L. Ryder, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	O'Grady	Stein
Babcock	Douglas	Keenan	Parkhurst	Stone
Baker	Dowling	Keleher	Porter	Sulzer
Berry	Eldredge	Kelsey	Prescott	Taylor
Braun	Fish	Kerr	Reilly	Terry, C.W.
Brennan	Foley	Kern	Rider, J.J.	Terry, J.F.
Brownell	Friday	Kerrigan	Robbins	Thompson
Burtis	Fuller	Kneeland	Robertson	Thornton
Bush	Gardiner	La Fetra	Robson	Tilton
Butts	Gerst	Lasch	Roche	Tobin
Callahan	Gleason	Lee	Ryder, E.L.	Trainor
Carroll	Glenn	Lounsbury	Scanlon	Tuttle
Cassin	Gould	Loonan	Schoepflin	Vacheron
Chambers	Herrman	Matthews	Schulz, F.F.	Van Amber
Chapman	Higbie	McDermott	Schulz, H	Vehslage

Clark, F.E.	Hobbie	McKeon	Sherwood	Wells
Clark, J. H.	Hoefer	Melody	Smith, M.F.	Whittet
Conklin	Horton	Messiter	Smith, S.W.	Wieman
Corrigan	Hotaling	Mittnacht	Snyder	Wilcox
Cutler	Houghton	Myers	Southworth	Wray
Davidson	Howe	Nixon	Stadtfeld	Wyckoff
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act to amend section 1275 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to clerks, officers and attendants of courts" (No. 157, Rec. No. 511), which was read the first time.

Mr. Roche asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	O'Donnell	Southworth
Babcock	Dinkelspiel	Houghton	Porter	Stadtfeld
Baker	Douglas	Howe	Prescott	Stein
Berry	Dowling	Keck	Reilly	Stone
Braun	Eldredge	Keleher	Rider, J.J.	Sulzer
Brennan	Fairbrother	Kelsey	Robbins	Taylor
Brownell	Finnigan	Kerr	Robertson	Thompson
Bush	Friday	Kern	Robson	Tilton
Butts	Fuller	Kneeland	Roche	Tobin
Cain	Gardiner	Lasch	Ryder, E.L.	Trainor
Carroll	Gerst	Lawson	Scanlon	Tuttle
Cassin	Gleason	Lee	Schoepflin	Van Amber
Chambers	Glenn	Lounsbury	Schulz, F.F.	Vehslage

Chapman	Gould	Marrin	Schulz, H	Wells
Clark, F.E.	Gray	Matthews	Seibert	Whittet
Clark, J. H.	Herrman	McDermott	Sherwood	Wieman
Conklin	Higbie	McKeon	Smith, M.F.	Wilcox
Corrigan	Hobbie	Melody	Smith, S.W.	Wray
Cutler	Hoefler	Mittnacht	Snyder	Wyckoff
Dean	Horton	Nixon		

In the negative,

Fish

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred to the passage of the same.

The Senate bill (No. 321) entitled "An act to amend chapter 383 of the Laws of 1877, entitled 'An act to amend chapter 571 of the Laws of 1866, entitled An act to incorporate the Brooklyn Trust Company'" (Rec. No. 341), having been announced for a third reading;

Debate being had thereon,

Mr. Ainsworth moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 28 }
{ NOES 50 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Kneeland	Smith, M.F.	Tilton
Babcock	Fish	Lawson	Southworth	Vacheron
Baker	Fuller	Porter	Stevens	Van Amber
Burtis	Glenn	Prescott	Stone	Wells
Conklin	Hotaling	Rider, J.J.	Thornton	Whittet
Dean	Houghton	Robbins		

Those who voted in the negative, were

Brennan	Foley	Kelsey	Mittnacht	Scanlon
Bush	Gardiner	Kerr	Myers	Schillinger
Cahill	Gould	Kerrigan	Nixon	Schoepflin
Cain	Harrigan	La Fetra	O'Donnell	Schulz, F.F.
Callahan	Hennessy	Lasch	O'Grady	Schulz, H
Carroll	Horton	Loonan	Plant	Seibert

Cassin	Howe	McDermott	Reilly	Smith, S.W.
Clark, F E.	Hoysradt	McKeon	Robertson	Sulzer
Douglas	Keenan	McNamee	Robinson	Tobin
Dowling	Keleher	Melody	Roche	Vehslage

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the passage of the same.

The Senate returned the bill (No. 1758) entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations" (Int. No. 1498), with a message that they have concurred in the passage of the same, with the following amendments:

Change the item for allowance to counsel in contested cases of John McCarty and Michael J. Coffey to \$5,000 each.

Insert the following:

"For completing the piling and protecting the banks of the Shinnecock and Peconic Bays canal, the sum of \$15,000, or so much thereof as may be necessary, to be expended by State Engineer and Surveyor and Superintendent of Public Works."

Insert after line 24, page 11, the following:

"For Edwin A. Countryman, the sum of \$2,500 for legal services in the matter of the investigation relating to the injunction order made against the Clerk of the Senate by Jacob A. Clute, county judge of Albany county."

Mr. Ainsworth moved to non-concur in said amendments, that a committee of conference be appointed thereon, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Thornton, Ainsworth, Sheffield, Bush and E. L. Ryder.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request the appointment of a like committee on the part of the Senate.

The Senate bill (No. 1077) entitled "An act to authorize John Rigerman, Jr., of the town of Lockport, to sell and convey the cemetery grounds situated on the farm owned by him in said town" (Rec. No. 477), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined

in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present

{ AYES 93 }
 { NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Dean	Keck	Reilly	Stone
Babcock	Dinkelspiel	Keleher	Rider, J.J.	Sulzer
Baker	Dowling	Kelsey	Robbins	Taylor
Berry	Eldredge	Kerr	Robinson	Terry, C W.
Brennan	Fish	Kern	Robson	Thompson
Brownell	Foley	Kneeland	Roche	Thornton
Burtis	Friday	Lawson	Ryder, E.L.	Tilton
Bush	Fuller	Lee	Scanlon	Trainor
Butts	Gerst	Loonan	Schoepflin	Tuttle
Cain	Gleason	Matthews	Schulz, F.F.	Vacheron
Callahan	Glenn	McDermott	Schulz, H	Van Amber
Carroll	Gould	McKeon	Sherwood	Vehslage
Cassin	Herrman	McNamee	Smith, M.F.	Wells
Chambers	Higbie	Messiter	Smith, S.W.	Whittet
Chapman	Hoefer	Myers	Snyder	Wieman
Clark, F.E.	Horton	O'Grady	Southworth	Wilcox
Clark, J. H.	Hotaling	Plant	Stadtfeld	Wray
Cutler	Houghton	Porter	Stein	Wyckoff
Davidson	Howe	Prescott		

In the negative,

La Fetra

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1736) entitled "An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville'" (Int. No. 1482), was read the second time and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
 { NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keleher	Robbins	Stevens
Baker	Fish	Kelsey	Robertson	Stone
Baker	Foley	Kerr	Robinson	Sulzer

Braun	Friday	Kern	Robson	Taylor
Brennan	Fuller	Kneeland	Roche	Terry, J. F.
Brownell	Gardiner	La Fetra	Ryder, E.L.	Thompson
Burtis	Gerst	Lasch	Scanlon	Thornton
Bush	Gleason	Lawson	Schillinger	Tilton
Butts	Glenn	Lee	Schoepflin	Tobin
Carroll	Gould	Lounsbury	Schulz, F.F.	Trainor
Cassin	Gray	Matthews	Schulz, H	Tuttle
Chambers	Harrigan	McDermott	Seibert	Vacheron
Clark, F.E.	Herrman	Melody	Sheffield	Van Amber
Clark, J. H.	Higbie	Messiter	Sherwood	Vehslage
Conklin	Hobbie	O'Donnell	Smith, M. F.	Wells
Cutler	Hoefler	O'Grady	Smith, S.W.	Whittet
Davidson	Horton	Parkhurst	Snyder	Wieman
Dean	Hotaling	Plant	Southworth	Wilcox
Dinkelspiel	Houghton	Porter	Stadtfeld	Wray
Douglas	Howe	Prescott	Stein	Wyckoff
Dowling	Keck	Rider, J.J.		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Speaker, Senate bill No. 1606, entitled "An act to further inquire into the existence of tuberculosis in cattle" (Rec. No. 512), was made a special order for to-morrow morning immediately after the reading of the journal.

The Senate bill (No. 947) entitled "An act amending section 1929 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York'" (Rec. No. 483), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Eldredge	Keenan	Parkhurst	Stadtfeld
Baker	Fish	Keleher	Plant	Stewart
Berry	Foley	Kelsey	Porter	Stone
Braun	Friday	Kerr	Prescott	Sulzer
Brennan	Fuller	Kern	Rider, J.J.	Taylor
Brownell	Gardiner	Kerrigan	Robertson	Terry, C.W.
Burtis	Gerst	Kneeland	Robinson	Terry, J.F.

Bush	Gleason	La Fetra	Robson	Thompson
Butts	Glenn	Lasch	Roche	Thornton
Cahill	Gould	Lawson	Ryder, E.L.	Tilton
Carroll	Gray	Lee	Scanlon	Tobin
Cassin	Harrigan	Lounsbury	Schillinger	Trainor
Chambers	Herrman	Loonan	Schoepflin	Tuttle
Clark, F.E.	Hobbie	McDermott	Schulz, F.F.	Van Amber
Clark, J. H.	Hoefer	Melody	Seibert	Vehslage
Conklin	Horton	Messiter	Sheffield	Wells
Cutler	Hotaling	Mittnacht	Smith, M.F.	Whittet
Dean	Houghton	Nixon	Smith, S.W.	Wilcox
Denniston	Howe	O'Donnell	Snyder	Wray
Douglas	Keck	O'Grady	Southworth	Wyckoff
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1031) entitled "An act to extend the time for the completion of the Hudson tunnel railway" (Rec. No. 505), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Douglas	Keenan	Reilly	Sulzer
Baker	Dowling	Keleher	Rider, J.J.	Taylor
Berry	Eldredge	Kelsey	Robbins	Terry, C.W.
Braun	Fish	Kern	Robinson	Terry, J.F.
Brennan	Foley	Kneeland	Roche	Thompson
Brownell	Friday	Lasch	Ryder, E.L.	Thornton
Burtis	Fuller	Lawson	Scanlon	Tilton
Bush	Gardiner	Lee	Schoepflin	Tobin
Butts	Gleason	Lounsbury	Schulz, F.F.	Trainor
Callahan	Glenn	Marrin	Schulz, H	Tuttle
Carroll	Gray	Matthews	Sheffield	Vacheron
Cassin	Harrigan	McDermott	Sherwood	Van Amber
Chapman	Higbie	Melody	Smith, M.F.	Vehslage
Clark, F.E.	Hobbie	Messiter	Smith, S.W.	Wells
Clark, J. H.	Hoefer	Mittnacht	Southworth	Whittet
Conklin	Horton	Nixon	Stadtfeld	Wieman
Corrigan	Hotaling	O'Grady	Stein	Wilcox

Cutler	Houghton	Parkhurst	Stevens	Wray
Dean	Howe	Porter	Stone	Wyckoff
Denniston	Keck	Prescott		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Sulzer called from the table the Senate bill (No. 907) entitled "An act to authorize the city of Mount Vernon, Westchester county, to acquire and complete a system of water works to supply the city with pure and wholesome water and to issue bonds of said city in payment therefor" (Rec. No. 305), previously laid aside on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

} AYES 8 }
 } NOES 59 }

Those who voted in the affirmative, were

Chambers	Kerr	Robinson	Sulzer	Vehslage
Conklin	Mittnacht	Smith, S.W.		

Those who voted in the negative, were

Berry	Eldredge	Herrman	McNamee	Sherwood
Brennan	Fairbrother	Hoefler	Messiter	Southworth
Butts	Fish	Howe	Myers	Stein
Callahan	Foley	Keck	Plant	Terry, C.W.
Carroll	Friday	Keenan	Porter	Tobin
Corrigan	Fuller	Kelsey	Rider, J.J.	Vacheron
Coughlin	Gerst	Kern	Robbins	Van Amber
Davidson	Gleason	Kneeland	Robertson	Wells
Dean	Glenn	Lasch	Scanlon	Whittet
Denniston	Gould	Loonan	Schillinger	Wieman
Douglas	Harrigan	Matthews	Schoepflin	Wilcox
Dowling	Hennessy	McKeon	Schulz, H	

Mr. Sulzer moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 94) entitled "An act to fix and regulate the rate of fare to be charged by the Troy City Railway Company" (Int. No. 895), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor therefor.

{ AYES 57 }
 { NOES 41 }

Those who voted in the affirmative, were

Babcock	Fairbrother	Houghton	Rider, J.J.	Terry, C.W.
Baker	Friday	Howe	Robbins	Terry, J.F.
Braun	Fuller	Keck	Robertson	Thompson
Brownell	Gardiner	Kelsey	Robson	Thornton
Burtis	Gerst	Kern	Schoepflin	Tilton
Butts	Glenn	Kneeland	Seibert	Tuttle
Chambers	Gould	Lawson	Smith, M.F.	Vacheron
Clark, F.E.	Higbie	Lounsbury	Smith, S.W.	Van Amber
Conklin	Hobbie	Messiter	Snyder	Wilcox
Cutler	Hoefer	Porter	Stevens	Wray
Dean	Horton	Prescott	Stone	Speaker
Eldredge	Hotaling			

Those who voted in the negative, were

Berry	Davidson	Herrman	Loonan	Roche
Brennan	Dowling	Hoysradt	Marrin	Ryder, E.L.
Cain	Finnigan	Keenan	McDermott	Schillinger
Callahan	Fish	Keleher	McKeon	Southworth
Carroll	Foley	Kerr	Melody	Sulzer
Cassin	Gleason	Kerrigan	Mittnacht	Tobin
Chapman	Harrigan	La Fetra	O'Donnell	Trainor
Corrigan	Hennessy	Lasch	Reilly	Vehslage
Coughlin				

Mr. J. F. Terry moved to reconsider the vote by which said said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Malby moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Baker	Eldredge	Houghton	Porter	Stone
Berry	Fairbrother	Howe	Prescott	Sulzer
Braun	Finnigan	Hoysradt	Reilly	Taylor
Brennan	Fish	Keck	Rider, J.J.	Terry, C.W.

Brownell	Foley	Keenan	Robbins	Terry, J.F.
Butts	Friday	Keleher	Robinson	Thompson
Cahill	Fuller	Kelsey	Robson	Thornton
Cain	Gerst	Kerr	Ryder, E.L.	Tilton
Callahan	Gleason	Kern	Schillinger	Tobin
Carroll	Glenn	Kerrigan	Schulz, F.F.	Tuttle
Chambers	Gould	Lasch	Schulz, H	Vacheron
Clark, F.E.	Gray	Lawson	Seibert	Van Amber
Clark, J. H.	Harrigan	Lounsbury	Sheffield	Vehslage
Conklin	Hennessy	McDermott	Smith, M.F.	Wells
Corrigan	Herrman	McKeon	Smith, S.W.	Whittet
Coughlin	Higble	Melody	Snyder	Wieman
Cutler	Hobbie	Messiter	Southworth	Wilcox
Davidson	Hoefler	Mittnacht	Stein	Wray
Dean	Horton	O'Donnell	Stevens	Speaker
Dowling				

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared before the bar of the House with Messrs. Kneeland, Loonan, Lee, Schoepflin, Burtis, Hotaling, Nixon, Sherwood, Stevens and Seibert, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Malby moved that further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hennessy announced the resignation of Mr. Bush from the committee of conference on the bill No. 1498, Int. No. 1758, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Mr. Speaker appointed Mr. Hennessy to fill the vacancy.

The Senate bill (No. 1094) entitled "An act to amend section 714 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 567 of the Laws of 1887, relating to the department of docks" (Rec. No. 504), having been announced for a second reading,

On motion of Mr. Ainsworth, said bill was laid aside until to-morrow morning, immediately after the reading of the journal.

The Senate bill (No. 739) entitled "An act to provide for the reorganization of the board of Charities and corrections of the county of Kings, and for the appointment of a commissioner

thereof, and subordinates of said department" (Rec. No. 356) was read the second time and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 41 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Houghton	Robertson	Terry, J.F.
Babcock	Fairbrother	Howe	Robson	Thompson
Baker	Fish	Kelsey	Scanlon	Thornton
Braun	Friday	Kern	Schoepfin	Tilton
Brownell	Fuller	Kneeland	Schulz, F.F.	Tuttle
Burtis	Gardiner	Lawson	Schulz, H	Vacheron
Chambers	Gerst	Lee	Seibert	Van Amber
Clark, F.E.	Glenn	Lounsbury	Sheffield	Wells
Clark, J. H.	Gould	Messiter	Sherwood	Whittet
Conklin	Gray	Nixon	Smith, M.F.	Wieman
Cutler	Higbie	O'Grady	Smith, S.W.	Wilcox
Dean	Hobbie	Porter	Snyder	Wray
Denniston	Hoeffer	Prescott	Stevens	Wyckoff
Douglas	Horton	Rider, J.J.	Stone	Speaker
Dowling	Hotaling	Robbins	Terry, C.W.	

Those who voted in the negative, were

Berry	Coughlin	Herrman	Marrin	Robinson
Brennan	Davidson	Hoysradt	McDermott	Roche
Bush	Dinkelspiel	Keenan	McKeon	Schillinger
Butts	Finnigan	Keleher	McNamee	Southworth
Cahill	Foley	Kerr	Melody	Stein
Cain	Gleason	La Fetra	Mittnacht	Sulzer
Callahan	Harrigan	Lasch	O'Donnell	Tobin
Carroll	Hennessy	Loonan	Plant	Vehslage
Cassin				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved that the Senate bill (No. 680) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo'" (Rec. No. 334), be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill (No. 860) entitled "An act to open the Fulton chain of lakes and the connecting streams thereof as a public highway" (Int. No. 202), with a message that they have concurred in the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1147) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to discharge of liens" (Int. No. 1013), with a message that they concurred in the passage of the same, with the following amendment:

Page 3, line 23, after the word "justify" insert the words "and in every instance when the undertaking is approved it shall be placed on file in the Comptroller's office."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Kelsey	Porter	Stein
Babcock	Fairbrother	Kerr	Prescott	Stevens
Baker	Finnigan	Kern	Reilly	Stewart
Berry	Fish	Kerrigan	Robbins	Stone
Braun	Foley	Kneeland	Robertson	Taylor
Brennan	Friday	La Fetra	Robinson	Terry, C.W.
Burtis	Fuller	Lasch	Robson	Terry, J.F.
Bush	Gerst	Lawson	Roche	Thompson
Cahill	Gleason	Lee	Ryder, E.L.	Thornton
Cain	Glenn	Lounsbury	Scanlon	Tilton
Carroll	Gould	Loonan	Schillinger	Trainor
Cassin	Harrigan	Marrin	Schoepflin	Tuttle
Chapman	Herrman	McDermott	Schulz, F.F.	Vacheron
Clark, J. H.	Higbie	McNamee	Schulz, H	Van Amber
Conklin	Hobbie	Melody	Seibert	Vehslage
Corrigan	Hoefler	Messiter	Sheffield	Wells

Coughlin	Hotaling	Myers	Sherwood	Whittet
Cutler	Houghton	Nixon	Smith, M. F.	Wieman
Dean	Hoysradt	O'Donnell	Snyder	Wilcox
Denniston	Keck	O'Grady	Southworth	Wray
Dinkelspiel	Keenan	Parkhurst	Stadtfeld	Wyckoff
Dowling	Keleher	Plant		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate sent for concurrence the following entitled bills :

"An act to further inquire into the existence of tuberculosis in cattle" (No. 1106, Rec. No. 512), which was read the first time.

On motion of Mr. Ainsworth, said bill was referred to the committee on rules.

"An act to provide for the construction, regulation and inspection of buildings and the more effectual prevention of fires and the better protection of life and property therein in the several cities of the State, except the cities of New York and Brooklyn" (No. 1110, Rec. No. 516), which was read the first time.

On motion of Mr. Ainsworth, said bill was referred to the committee on rules.

On motion of Mr. Brownell, and by unanimous consent, the Senate bill (not printed) entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' and the several acts amendatory thereof" (Rec. No. 502), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dowling	Keck	O'Donnell	Stein
Babcock	Eldredge	Keenan	O'Grady	Stevens
Baker	Fairbrother	Kelsey	Parkhurst	Stewart
Berry	Fish	Kerr	Porter	Stone
Braun	Foley	Kern	Prescott	Sulzer
Brownell	Fuller	Kerrigan	Rider, J.J.	Taylor
Burtis	Gardiner	Kneeland	Robbins	Terry, C.W.
Butts	Gerst	Lasch	Robertson	Terry, J.F.
Cahill	Gleason	Lawson	Robson	Thompson

Callahan	Gould	Lounsbury	Scanlon	Thornton
Carroll	Gray	Loonan	Schoepflin	Tilton
Chambers	Harrigan	Marrin	Schulz, F.F.	Tuttle
Clark, F. E.	Herrman	Matthews	Schulz, H.	Vacheron
Conklin	Higbie	McDermott	Seibert	Wells
Corrigan	Hobbie	McNamee	Sheffield	Whittet
Coughlin	Hoefler	Melody	Sherwood	Wieman
Dean	Horton	Messiter	Smith, M.F.	Wilcox
Denniston	Houghton	Mittnacht	Smith, S.W.	Wray
Douglas	Howe	Myers	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Ainsworth and by unanimous consent, Senate bill No. 1002, entitled "An act to enable the city of Albany to procure additional land for park purposes" (Rec. No. 413), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Melody	Snyder
Babcock	Dinkelspiel	Hoysradt	Messiter	Stadtfeld
Baker	Eldredge	Keck	Mittnacht	Stein
Berry	Fairbrother	Keenan	Myers	Stevens
Braun	Finnigan	Keleher	Nixon	Stewart
Brennan	Fish	Kelsey	O'Donnell	Sulzer
Burtis	Foley	Kerr	O'Grady	Taylor
Bush	Friday	Kern	Parkhurst	Terry, C.W.
Butts	Fuller	Kerrigan	Plant	Thompson
Cahill	Gardiner	Kneeland	Prescott	Thornton
Cain	Gerst	La Fetra	Robbins	Tobin
Carroll	Glenn	Lasch	Robertson	Trainor
Chambers	Gould	Lawson	Robson	Vacheron
Clark, J. H.	Gray	Loonan	Ryder, E. L.	Van Amber
Conklin	Herrman	Marrin	Schillinger	Wells
Corrigan	Higbie	Matthews	Schoepflin	Whittet
Coughlin	Hobbie	McDermott	Schulz, H.	Wieman
Cutler	Hoefler	McKeon	Sheffield	Wray
Davidson	Hotaling	McNamee	Smith, M. F.	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill :

"An act to provide for the annexation to the city of Brooklyn of the town of Flatlands" (No. 1080, Rec. No. 510), which was read the first time.

Mr. Fish moved that said bill be made a special order for to morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Ainsworth, the House adjourned until 9 o'clock to-morrow morning.

FRIDAY, APRIL 27, 1894.

The House met pursuant to adjournment.

Prayer by Rev. Wallace H. Butrick

On motion of Mr. J. F. Terry, the journal of yesterday was approved without being read.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto :

"An act for the preservation of macadamized public highways in Queens county." (No. 1079, Rec. No. 425.)

"An act for the relief of John C. O'Brien." (No. 997, Rec. No. 374.)

"An act to provide for the compulsory education of children." (No. 873, Rec. No. 320.)

"An act to amend chapter 339 of the Laws of 1892, entitled 'An act to regulate, improve and enlarge Park avenue above One Hundred and Sixth street, in the city of New York, and providing for the passage of intersecting streets under the railroad structure of the New York and Harlem Railroad Company, and for the elevation of said railroad structure, and for changing the grade of said railroad, and for the construction of a new railroad bridge at an increased elevation over the Harlem river, and provid-

ing for all changes in any avenues, streets or railroads that may be necessary by reason of such change in structure and grade and increased elevation of bridge, and for other purposes.'” (No. 1074, Rec. No. 469.)

Ordered, That the clerk return said bills to the Senate.

Mr. Speaker presented the annual report of the directors and board of managers of the New York Agricultural Experiment Station at Geneva; which was laid upon the table and ordered printed.

(See Document.)

The Senate returned the concurrent resolution returning to the Governor without amendment Assembly bill No. 258, entitled “An act to release to Mary Rose Reilly, the only child and heir at law of Thomas Smith, deceased, the interest of the people of the State of New York in the property, either real or personal, of which Thomas Smith and Owen Smith, or either of them, died possessed” (Int. No. 259), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, as amended :

“An act to amend chapter 291 of the Laws of 1870, entitled ‘An act for the incorporation of villages,’ and acts amendatory thereof, in relation to the enforcement and collection of taxes in and for the village of Fair Haven, in the county of Cayuga.” (No. 1140, Int. No. 1004.)

“An act to repeal chapter 211 of the Laws of 1869, entitled ‘An act authorizing the construction and maintaining of a free bridge over the Susquehanna river, between the towns of Union and Vestal, and the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor,’ and acts amendatory thereof.” (Not printed, Int. No. 267.)

“An act appointing a committee to examine into the tenement-house question in the city of New York, and to report to the next Legislature.” (Not printed, Int. No. 1453.)

“An act to amend chapter 537 of the Laws of 1893, entitled ‘An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the

Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York, or otherwise.'” (No. 1463, Int. No. 1281.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 486) entitled “An act to regulate the use of barbed wire in the construction of division fences.” (Int. No. 459.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 914) entitled “An act to amend the county law, by providing that supervisors shall receive compensation while engaged in an investigation or other duty lawfully committed to them by the board” (Int. No. 583), with a message that they have non-concurred in the passage of the same.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly made thereto :

“An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Westchester county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Westchester, and to fix the duties and compensation of the sheriff of said county of certain employes in the jail in said county.” (No. 475, Rec. No. 137.)

“An act relative to the New York and Brooklyn Bridge.” (No. 629, Rec. No. 165.)

Ordered, That the Clerk return said bills to the Senate.

Mr. Ainsworth, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Lexow, Rec. No. 358, entitled “An act to provide for the payment of the expenses of the Senate committee appointed to investigate the police department of the city of New York,” reported in favor of the passage of the same, without amendment, which report was agreed to.

Mr. Ainsworth moved that said bill be made a special order for this morning at 9.45 o'clock for second and third readings.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 61 }
 { NOES 24 }

Those who voted in the affirmative, were

Ainsworth	Fuller	Kern	Robbins	Stone
Babcock	Finnigan	Lawson	Robertson	Terry, C.W.
Braun	Glenn	Lee	Scanlon	Terry, J.F.
Brownell	Gould	Lounsbury	Schoepflin	Thompson
Burtis	Gray	Matthews	Schulz, F.F.	Thornton
Clark, J. H.	Higbie	Messiter	Seibert	Tilton
Conklin	Hobbie	Nixon	Sheffield	Tuttle
Cutler	Hoefler	O'Grady	Sherwood	Van Amber
Dean	Hotaling	Parkhurst	Smith, S.W.	Wells
Eldredge	Houghton	Porter	Snyder	Whittet
Fairbrother	Howe	Prescott	Stevens	Wilcox
Fish	Kelsey	Rider, J.J.	Stewart	Wyckoff
Friday				

Those who voted in the negative, were

Carroll	Kerrigan	Keleher	Plant	Sulzer
Cassin	Foley	Kerr	Roche	Tobin
Corrigan	Hennessy	Lasch	Schillinger	Trafnor
Davidson	Herrman	McDermott	Southworth	Vehslage
Dinkelspiel	Hoysradt	O'Donnell	Stein	

Mr. Speaker announced the calendar of the day.

The Senate bill (No. 1107), entitled "An act to amend section 714 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' as amended by chapter 567 of the Laws of 1887, relating to the department of docks" (Rec. No. 515), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
 { NOES 37 }

Those who voted in the affirmative, were

Ainsworth	Friday	Kern	Robertson	Ferry, J.F.
Babcock	Fuller	Kneeland	Scanlon	Thompson
Baker	Gardiner	Lawson	Schoepflin	Thornton

Braun	Gerst	Lee	Schulz, F.F.	Tobin
Brownell	Glenn	Lounsbury	Seibert	Tuttle
Burtis	Gould	Matthews	Sheffield	Vacheron
Chambers	Higbie	Messiter	Sherwood	Van Amber
Clark, F.E.	Hobbie	Nixon	Smith, M.F.	Wells
Clark, J. H.	Hoefler	O'Grady	Smith, S.W.	Whittet
Conklin	Horton	Parkhurst	Snyder	Wieman
Dean	Hotaling	Porter	Stevens	Wilcox
Denniston	Houghton	Prescott	Stewart	Wray
Eldredge	Howe	Rider, J.J.	Stone	Wyckoff
Fairbrother	Keck	Robbins	Terry, C.W	Speaker
Fish	Kelsey			

Those who voted in the negative, were

Bush	Coughlin	Hoysradt	McKeon	Schillinger
Butts	Davidson	Kerr	McNamee	Southworth
Cahill	Dinkelspiel	Kerrigan	Melody	Stein
Cain	Dowling	La Fetra	O'Donnell	Sulzer
Callahan	Finnigan	Lasch	Plant	Tobin
Carroll	Foley	Marrin	Robinson	Trainor
Cassin	Gleason	McDermott	Roche	Vehslage
Corrigan	Herrman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Keck offered for the consideration of the House a resolution, in the words following:

Resolved, That a message be sent to the Senate respectfully requesting the return of Senate bill (No. 1081) entitled "An act to amend chapter 361 of the Laws of 1863." (Rec. No. 480.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 68 }
{ NOES 46 }

Those who voted in the affirmative, were

Ainsworth	Fish	Houghton	Rider, J.J.	Stone
Babcock	Friday	Howe	Robbins	Terry, C W.
Baker	Fuller	Keck	Robertson	Terry, J.F.
Braun	Gardiner	Kelsey	Robson	Thompson
Brownell	Gerst	Kern	Ryder, E.L.	Thornton
Burtis	Glenn	Lawson	Scanlon	Tilton
Chambers	Gould	Lee	Schoepflin	Tuttle
Clark, F.E.	Gray	Lounsbury	Schulz, H	Vacheron
Clark, J. H.	Hennessy	Messiter	Seibert	Van Amber
Conklin	Higbie	Nixon	Sherwood	Wells

Cutler	Hobbie	O'Grady	Smith, M.F.	Whittet
Dean	Hoefler	Parkhurst	Smith, S.W.	Wilcox
Eldredge	Horton	Porter	Snyder	Wyckoff
Fairbrother	Hotaling	Prescott		

Those who voted in the negative, were

Berry	Coughlin	Harrigan	McDermott	Roche
Brennan	Davidson	Herrman	McKeon	Schillinger
Bush	Denniston	Hoysradt	McNamee	Southworth
Butts	Dinkelspiel	Kerr	Melody	Stadtfeld
Cahill	Douglas	Kerrigan	Mitnacht	Stein
Callahan	Dowling	La Petra	Myers	Sulzer
Carroll	Finnigan	Lasch	O'Donnell	Tobin
Cassin	Foley	Loonan	Plant	Trainor
Chapman	Gleason	Marrin	Robinson	Vehslage
Corrigan				

Ordered, That the Clerk deliver said resolution to the Senate.

Mr. Speaker announced the special order, being the Senate bill (No. 669) entitled "An act to provide for the payment of the expenses of the Senate committee appointed to investigate the police department of the city of New York." (Rec. No. 358.)

Said bill having been announced for a second reading,

Debate was had thereon, when

Said bill was read the second time and ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	70	}
{	NOES	44	}

Those who voted in the affirmative, were

Ainsworth	Fish	Howe	Rider, J.J.	Stevens
Babcock	Friday	Keck	Robbins	Stone
Baker	Fuller	Kelsey	Robertson	Terry, C.W.
Braun	Gardiner	Kern	Robson	Terry, J.F.
Brownell	Gerst	Lawson	Scanlon	Thornton
Burtis	Glenn	Lee	Schoepflin	Tilton
Chambers	Gould	Lounsbury	Schulz, F.F.	Tuttle
Clark, F.E.	Gray	Matthews	Schulz, H	Vacheron
Clark, J. H.	Higbie	Messiter	Seibert	Van Amber
Conklin	Hobbie	Nixon	Sheffield	Wells

Dean	Hoefer	O'Grady	Sherwood	Whittet
Denniston	Horton	Parkhurst	Smith, M.F.	Wilcox
Eldredge	Hotaling	Porter	Smith, S.W.	Wray
Fairbrother	Houghton	Prescott	Snyder	Wyckoff

Those who voted in the negative, were

Berry	Coughlin	Keenan	Melody	Schillinger
Bush	Davidson	Kerr	Mittnacht	Southworth
Butts	Dinkelspiel	Kerrigan	Myers	Stadtfeld
Cahill	Dowling	La Fetra	O'Donnel	Stein
Cain	Finnigan	Lasch	Plant	Sulzer
Callahan	Foley	Loonan	Reilly	Tobin
Carroll	Gleason	Marrin	Robinson	Trainor
Cassin	Harrigan	McKeon	Roche	Vehslage
Corrigan	Herrman	McNamee	Ryder, E.L.	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1080) entitled "An act to provide for the annexation to the city of Brooklyn of the town of Flatlands, in Kings county" (Rec. No. 510), was read the second time.

On motion of Mr. Friday, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 25 }

Those who voted in the affirmative, were

Ainsworth	Fairbrother	Howe	Robbins	Taylor
Babcock	Fish	Keck	Robertson	Terry, C.W.
Baker	Friday	Kelsey	Robson	Terry, J.F.
Braun	Fuller	Kern	Scanlon	Thompson
Brownell	Gardiner	Kneeland	Schoepflin	Tilton
Burtis	Gerst	Lawson	Schulz, H	Tuttle
Chambers	Glenn	Lee	Seibert	Vacheron
Clark, F.E.	Gould	Lounsbury	Sheffield	Van Amber
Clark, J. H.	Gray	Matthews	Sherwood	Wells
Conklin	Higbie	Nixon	Smith, M.F.	Whittet
Cutler	Hobbie	O'Grady	Smith, S.W.	Wieman
Dean	Hoefer	Parkhurst	Snyder	Wilcox

Denniston	Horton	Porter	Stevens	Wray
Dowling	Hotaling	Prescott	Stone	Wyckoff
Eldredge	Houghton	Rider, J.J.	Sulzer	

Those who voted in the negative, were

Cain	Douglas	Lasch	McNamee	Roche
Callahan	Gleason	Loonan	Melody	Schillinger
Carroll	Herrman	Marrin	Mittnacht	Schulz, F.F.
Coughlin	Hoysradt	McDermott	Myers	Stein
Dinkelspiel	Kerr	McKeon	Robinson	Tobin

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1106) entitled "An act to further inquire into the existence of tuberculosis in cattle" (Rec. No. 512), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	96	}
{ NOES	00	}

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Reilly	Stein
Babcock	Fairbrother	Kelsey	Rider, J.J.	Stone
Baker	Fish	Kerr	Robbins	Sulzer
Braun	Friday	Kern	Robertson	Taylor
Brownell	Fuller	Kneeland	Robson	Terry, C W.
Burtis	Gardiner	Lasch	Roche	Terry, J.F.
Bush	Gerst	Lawson	Ryder, E.L.	Thompson
Butts	Gleason	Lee	Scanlon	Tilton
Carroll	Glenn	Lounsbury	Schoepflin	Trainor
Cassin	Gould	Loonan	Schulz, F.F.	Tuttle
Chambers	Gray	Matthews	Schulz, H	Vacheron
Clark, F.E.	Higbie	McDermott	Seibert	Van Amber
Clark, J. H.	Hobbie	Melody	Sheffield	Vehslage
Conklin	Hoefler	Messiter	Sherwood	Wells
Cutler	Horton	Nixon	Smith, M.F.	Whittet
Davidson	Hotaling	O'Grady	Smith, S.W.	Wieman
Dean	Houghton	Parkhurst	Snyder	Wilcox
Denniston	Howe	Porter	Southworth	Wray
Dinkelspiel	Keck	Prescott	Stadtfeld	Wyckoff
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Thornton, from a committee of conference, presented the following report :

To the Legislature :

The undersigned, appointed by the Senate and Assembly, as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill, entitled "An act making appropriation for certain expenses of government, and supplying deficiencies in former appropriations" (Int. No. 1498), report that they have duly conferred upon said matters, and agreed to recommend as follows :

That the Assembly do concur in the following amendments made thereto by the Senate, to wit :

Page 6, strike out all of lines 5, 6, 7, and 8.

Page 11, after line 24, strike out the following :

"For copying and completing the personal records of the regiments, companies, troops, and batteries of this State which served in the late war for the Union, and preparing blanks therefor, and for printing and binding the same in book form under the direction of the Adjutant-General, ten thousand dollars, or so much thereof as may be necessary; and the clerical assistants to be employed in the work, shall be subject to such rules of examination only as the Adjutant-General shall prescribe. But no part of this appropriation shall be expended in the employment of any clerks who are not honorably discharged soldiers or sailors, and the Comptroller shall refuse payment of any compensation to any clerk until satisfactory proof of this fact shall be presented to him."

Add the following items:

"For Miss Francis Nellie Kingsbury for constructing and supervising the Senate directory board for the session of eighteen hundred and ninety-four, three hundred dollars.

"For the Sergeant-at-Arms of the Senate of eighteen hundred and ninety-three, balance due him for expenses incurred by him for the attendance of the members of the Senate at the funeral of the late Senator Edward P. Hagen, pursuant to resolution of the Senate, adopted February twentieth, eighteen hundred and ninety-three, five hundred and ninety-four dollars.

"For Kuhne Beveridge, for balance due for work performed on the bust of DeWitt Clinton, seven hundred and fifty dollars.

"For services of counsel, Owen Cassidy, employed in the matter of the investigation of the New York State Board of Health, the sum of two thousand dollars, or so much thereof as may be cer-

tified to by the chairman of the Senate investigating committee, of the special committee appointed by the president pro tem. of the Senate, to be sufficient compensation for the services of said counsel.

"For the Court of Appeals library situated in the city of Syracuse, Onondaga county, N. Y., for the purchase of books and other supplies for said library, the sum of five hundred dollars.

"For building a sidewalk in front of and on the east side of the State armory at Malone, and for completing the grading around said armory, the sum of five hundred dollars.

"For Frank S. Black for professional services in the matter of the investigation of election frauds by a committee of the Senate, two thousand dollars.

"For William J. Ludden for professional services in the matter of the investigation of election frauds, by a committee of the Senate, two thousand dollars.

"For Fred C. Hayne for extra compensation as messenger to the Assembly, over and above the amount allowed by law, the sum of three hundred dollars.

"For compensation for services and expenses of counsel appointed under the provisions of chapter six hundred and sixty of the laws of eighteen hundred and ninety-two, to examine the laws of this and other States relating to taxation and report the result of their investigations with recommendations as to legislation relating to assessment and taxation of this State, for services rendered during eighteen hundred and ninety-three, upon vouchers to be approved by the Governor, the sum of seven thousand five hundred dollars, or so much thereof as may be necessary.

"The unexpended balance of the money heretofore appropriated by chapters ninety-six and seven hundred and twenty-six of the laws of eighteen hundred and ninety-three for the St. Lawrence State Hospital, is hereby reappropriated to be expended under the direction of the managers of the St. Lawrence State Hospital in completing said buildings, in grading around said buildings, constructing roads and walks around said buildings and for the general purpose of completing said buildings, and for constructing an ash-pit and necessary outbuildings, improving the furnaces for the more economic distribution of heat to the several buildings, and for payment of the architects' fees. The money to be paid by the State Treasurer upon the warrant of the Comptroller, to be issued upon the requisition of the board of managers of the said hospital.

"For completing the piling and protecting the banks of the Shinnecock and Peconic Bays canal, the sum of fifteen thousand dollars, or so much thereof as may be necessary, to be expended

by State Engineer and Surveyor and Superintendent of Public Works.

And the committee recommend that the Senate recede from the following amendments:

Page 6, line 17, strike out "five" and insert "three."

Page 7, line 2, strike out "three" and insert "two."

Same page, line 8, strike out "three" and insert "two."

Same page, line 20, strike out "three" and insert "two."

Page 8, line 1, strike out "three" and insert "two."

Same page, line 7, strike out "three" and insert "two."

Same page, line 13, strike out "three" and insert "two."

"For the increase and maintenance of the State Medical Library authorized by chapter three hundred and seventy-seven of the laws of eighteen hundred and ninety-one, five thousand dollars."

And the committee do further recommend that the Senate and Assembly concur in the following amendments, as further amended by the committee of conference:

Page 11, lines 23 and 24, strike out "one thousand" and insert "two thousand."

Page 10, line 17, strike out "four thousand" and insert "four thousand five hundred."

Same page, lines 23 and 24, strike out "three thousand" and insert "four thousand."

"For Edwin A. Countryman, the sum of one thousand dollars, for legal services in the matter of the investigation relating to the injunction order made against the clerk of the Senate by Jacob A. Clute, county judge of Albany county."

J. MULLIN,

J. S. CANTOR,

FRANK M. HIGGINS,

Senate Committee.

HOWARD THORNTON,

JAMES R. SHEFFIELD,

JOHN A. HENNESSY,

EDGAR L. RYDER,

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Houghton	Plant	Stevens
Babcock	Dowling	Howe	Porter	Stewart
Baker	Eldredge	Keck	Prescott	Stone
Berry	Fairbrother	Keleher	Rider, J.J.	Sulzer
Braun	Finnigan	Kelsey	Robbins	Taylor

Brownell	Fish	Kerr	Robertson	Terry, C.W.
Burtis	Foley	Kern	Robson	Terry, J.F.
Bush	Friday	Kneeland	Roche	Thompson
Butts	Fuller	La Fetra	Scanlon	Thornton
Carroll	Gardiner	Lasch	Schillinger	Tilton
Cassin	Gerst	Lawson	Schoepflin	Tobin
Chambers	Gleason	Lee	Schulz, F.F.	Trainor
Chapman	Glenn	Lounsbury	Schulz, H	Tuttle
Clark, F.E.	Gould	Matthews	Seibert	Vacheron
Clark, J. H.	Gray	McDermott	Sheffield	Van Amber
Conklin	Harrigan	McNamee	Sherwood	Vehslage
Corrigan	Hennessy	Melody	Smith, M.F.	Wells
Coughlin	Herrman	Messiter	Smith, S.W.	Whittet
Cutler	Higbie	Mitnacht	Snyder	Wieman
Davidson	Hobbie	Nixon	Southworth	Wilcox
Dean	Hoefler	O'Grady	Stadtfeld	Wray
Denniston	Horton	Parkhurst	Stein	Wyckoff
Dinkelspiel	Hotaling			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

Mr. O'Grady, from the committee of conference, submitted the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 595) entitled "An act to amend section 116 of title 2, chapter 3 of part 4 of the Revised Statutes, relating to State prisons" (Int. No. 559), report that they have duly conferred upon said matters, and agreed to recommend as follows:

That said bill, as returned from the Governor, be amended as follows:

Strike out the word "the" in second line of the title and insert the word "title" in lieu thereof.

Strike out the word "white" in line 7 of section 1 and in line 18 of same section.

At the end of section 116 change the period to a semicolon and insert thereafter the following: "Provided, however, that the prisoners in the Kings county penitentiary may be employed in manufacturing unlaundried negligee shirts."

C. R. PARSONS,
H. J. COGGESHALL,
JOHN F. AHEARN,
Senate Committee.

JAMES M. E. O'GRADY,
H. P. HOEFLE,
WM. A CARROLL,
M. E. FINNIGAN,
JAMES TAYLOR,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoysradt	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keenan	Parkhurst	Stevens
Baker	Douglas	Kelsey	Plant	Stewart
Berry	Eldredge	Kern	Prescott	Stone
Braun	Fairbrother	Kerrigan	Reilly	Taylor
Brennan	Finnigan	Kneeland	Rider, J.J.	Terry, C.W.
Brownell	Friday	La Petra	Robbins	Terry, J.F.
Burtis	Fuller	Lasch	Robertson	Thornton
Bush	Gardiner	Lawson	Robson	Tilton
Cahill	Gerst	Lee	Roche	Trainor
Cain	Gleason	Lounsbury	Ryder, E.L.	Vacheron
Carroll	Gray	Loonan	Scanlon	Van Amber
Cassin	Harrigan	Marrin	Schoepflin	Vehslage
Chambers	Herrman	McDermott	Schulz, F.F.	Wells
Clark, F.E.	Higbie	McKeon	Schulz, H	Whittet
Clark, J. H.	Hobbie	Melody	Sheffield	Wieman
Conklin	Hoefer	Mittnacht	Sherwood	Wilcox
Coughlin	Hotaling	Nixon	Smith, M.F.	Wray
Cutler	Houghton	O'Donnell	Smith, S.W.	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

The Senate bill (No. 997) entitled "An act for the relief of John C. O'Brien" (Rec. No. 374), was read the second time.

On motion of Mr. O'Grady, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Howe	Porter	Stewart
Babcock	Dowling	Keck	Prescott	Stone
Baker	Eldredge	Keleher	Rider, J.J.	Sulzer

Berry	Fairbrother	Kelsey	Robbins	Taylor
Braun	Finnigan	Kerr	Robertson	Terry, C.W
Brennan	Fish	Kern	Robson	Terry, J.F.
Brownell	Friday	Kneeland	Roche	Thompson
Burtis	Fuller	Lasch	Scanlon	Thornton
Bush	Gardiner	Lawson	Schoepflin	Tilton
Butts	Gerst	Lee	Schulz, F.F.	Tobin
Carroll	Glenn	Lounsbury	Schulz, H	Trainor
Cassin	Gould	Matthews	Seibert	Tuttle
Chambers	Gray	McDermott	Sheffield	Vacheron
Clark, F.E.	Harrigan	Melody	Sherwood	Van Amber
Clark, J. H.	Herrman	Messiter	Smith, M.F.	Vehslage
Conklin	Higbie	Mittnacht	Smith, S.W.	Wells
Corrigan	Hobbie	Myers	Snyder	Whittet
Cutler	Hoefler	Nixon	Southworth	Wieman
Davidson	Horton	O'Grady	Stadtfeld	Wray
Dean	Hotaling	Parkhurst	Stein	Wyckoff
Denniston	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 788) entitled "An act to amend title 5 of chapter 18 of the Code of Civil Procedure in relation to and to provide for disposition of decedent's real property for the payment of debts, funeral expenses and certain liens thereon" (Rec. No. 240), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Houghton	Parkhurst	Stewart
Babcock	Dowling	Howe	Porter	Stone
Baker	Eldredge	Keck	Prescott	Sulzer
Berry	Fairbrother	Keleher	Rider, J.J.	Taylor
Braun	Fish	Kelsey	Robbins	Terry, C.W.
Brennan	Foley	Kerr	Robertson	Terry, J.F.
Brownell	Friday	Kern	Robson	Thompson
Burtis	Fuller	Kneeland	Roche	Thornton
Bush	Gardiner	La Fetra	Scanlon	Tilton
Butts	Gerst	Lasch	Schoepflin	Tobin
Carroll	Gleason	Lawson	Schulz, F.F.	Trainor

Cassin	Glenn	Lee	Schulz, H	Tuttle
Chambers	Gould	Lounsbury	Seibert	Vacheron
Clark, F.E.	Gray	Marrin	Sheffield	Van Amber
Clark, J. H.	Harrigan	Matthews	Sherwood	Vehslage
Conklin	Herrman	McDermott	Smith, M.F.	Wells
Corrigan	Higbie	Melody	Smith, S.W.	Whittet
Cutler	Hobbie	Messiter	Snyder	Wieman
Davidson	Hoefler	Myers	Southworth	Wilcox
Dean	Horton	Nixon	Stadtfeld	Wray
Denniston	Hotaling	O'Grady	Stein	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ainsworth in the chair.

By unanimous consent,

Mr. Ainsworth introduced a bill entitled "An act to provide ways and means for the support of government" (Int. No. 1500), which was read the first time.

Mr. Fish asked unanimous consent that said bill do now have its second and third readings.

The Clerk called the roll, and unanimous consent having been granted,

Said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Myers	Southworth
Babcock	Dinkelspiel	Hotaling	Nixon	Stein
Baker	Douglas	Houghton	O'Grady	Stevens
Berry	Dowling	Howe	Plant	Stone
Braun	Eldredge	Keck	Porter	Sulzer
Brennan	Fairbrother	Keleher	Prescott	Taylor
Brownell	Finnigan	Kelsey	Rider, J.J.	Terry, C.W.
Burtis	Fish	Kerr	Robbins	Terry, J.F.
Bush	Foley	Kern	Robertson	Thompson
Butts	Friday	Kneeland	Robinson	Thornton
Cain	Fuller	La Fetra	Robson	Tilton
Callahan	Gardiner	Lasch	Ryder, E.L.	Tobin
Carroll	Gerst	Lawson	Scanlon	Trainor
Cassin	Gleason	Lee	Schoepfin	Tuttle

Chambers	Glenn	Lounsbury	Schulz, F.F.	Van Amber
Chapman	Gould	Marrin	Schulz, H	Wells
Clark, F.E.	Gray	Matthews	Seibert	Whittet
Clark, J. H.	Herrman	McDermott	Sherwood	Wieman
Conklin	Higbie	McKeon	Smith, M.F.	Wilcox
Cutler	Hobbie	Melody	Smith, S.W.	Wray
Dean	Hoefler	Messiter	Snyder	Wyckoff

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 451) entitled "An act to amend chapter 409 of the Laws of 1886, entitled 'An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same'" (Rec. No. 273), was read the second time. -

On motion of Mr. Lounsbury, said bill was placed on the order of third reading.

Mr. Foley moved to strike out the first section.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to facilitate State commerce by increasing the depth of the Erie basin at Buffalo" (Rec. No. 415), was read the second time.

On motion of Mr. Gerst, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Howe	O'Grady	Stein
Babcock	Denniston	Keck	Parkhurst	Stevens
Baker	Dinkelspiel	Keenan	Plant	Stone
Berry	Douglas	Keleher	Porter	Sulzer
Braun	Dowling	Kelsey	Prescott	Taylor
Brennan	Eldredge	Kerr	Rider, J.J.	Terry, C.W.
Brownell	Fairbrother	Kern	Robbins	Terry, J.F.
Burtis	Fish	Kneeland	Robertson	Thompson

Bush	Friday	La Fetra	Robson	Thornton
Butts	Fuller	Lasch	Roche	Tilton
Cain	Gardiner	Lawson	Scanlon	Tobin
Callahan	Gerst	Lee	Schoepflin	Tuttle
Carroll	Glenn	Lounsbury	Schulz, F.F.	Vacheron
Cassin	Gould	Marrin	Schulz, H	Van Amber
Chambers	Gray	Matthews	Sheffield	Wells
Clark, F.E.	Higbie	McDermott	Sherwood	Whittet
Clark, J. H.	Hobbie	McKeon	Smith, M.F.	Wieman
Conklin	Hoefler	Messiter	Smith, S.W.	Wilcox
Corrigan	Horton	Mittnacht	Snyder	Wray
Cutler	Hotaling	Myers	Southworth	Wyckoff
Davidson	Houghton	Nixon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 653) entitled "An act to amend section 1380 of the Code of Civil Procedure" (Int. No. 176), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	Parkhurst	Stevens
Babcock	Douglas	Keck	Plant	Stone
Baker	Dowling	Keenan	Porter	Sulzer
Berry	Eldredge	Kelcher	Reilly	Taylor
Braun	Fairbrother	Kelsey	Rider, J.J.	Terry, C.W.
Brennan	Fish	Kerr	Robbins	Terry, J.F.
Brownell	Foley	Kern	Robertson	Thompson
Bush	Friday	Kneeland	Robson	Thornton
Butts	Fuller	La Fetra	Roche	Tilton
Cain	Gardiner	Lasch	Ryder, E.L.	Tobin
Callahan	Gerst	Lawson	Scanlon	Trainor
Carroll	Glenn	Lee	Schoepflin	Tuttle
Cassin	Gould	Lounsbury	Schulz, F.F.	Vacheron
Chapman	Gray	Marrin	Schulz, H	Van Amber
Clark, F.E.	Harrigan	McDermott	Seibert	Wells
Clark, J. H.	Higbie	McKeon	Sheffield	Whittet
Conklin	Hobbie	McNamee	Sherwood	Wieman
Corrigan	Hoefler	Melody	Smith, M.F.	Wilcox

Cutler	Horton	Messiter	Smith, S.W.	Wray
Davidson	Hotaling	Nixon	Snyder	Wyckoff
Dean	Houghton	O'Grady		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 900) entitled "An act to provide for the completion of the armory for the Thirteenth regiment in the city of Brooklyn" (Rec. No. 329), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Howe	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keck	Parkhurst	Stein
Baker	Douglas	Keleher	Porter	Stone
Berry	Dowling	Kelsey	Prescott	Sulzer
Braun	Eldredge	Kerr	Rider, J.J.	Taylor
Brennan	Fairbrother	Kern	Robbins	Terry, C.W.
Brownell	Fish	Kneeland	Robertson	Terry, J.F.
Burtis	Friday	La Fetra	Robson	Thompson
Bush	Fuller	Lasch	Roche	Thornton
Butts	Gardiner	Lawson	Ryder, E.L.	Tilton
Callahan	Gerst	Lee	Scanlon	Trainor
Carroll	Glenn	Lounsbury	Schoeptin	Tuttle
Cassin	Gould	Loonan	Schulz, F.F.	Vacheron
Chambers	Gray	Matthews	Schulz, H	Van Amber
Clark, F.E.	Harrigan	McKeon	Sheffield	Wells
Clark, J. H.	Higbie	McNamee	Sherwood	Whittet
Conklin	Hobbie	Messiter	Smith, M.F.	Wieman
Corrigan	Hoefler	Mitnacht	Smith, S.W.	Wilcox
Cutler	Horton	Myers	Snyder	Wray
Davidson	Hotaling	Nixon	Southworth	Wyckoff
Dean	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 799) entitled "An act in relation to the commitment, care and support of destitute and delinquent

children in the county of Kings" (Rec. No. 382), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Eldredge	Keleher	Porter	Stadtfeld
Babcock	Fairbrother	Kelsey	Prescott	Stein
Baker	Fish	Kerr	Rider, J. J.	Stone
Berry	Friday	Kern	Robbins	Sulzer
Brennan	Fuller	Kneeland	Robertson	Taylor
Brownell	Gardiner	La Fetra	Robinson	Terry, C.W.
Burtis	Gerst	Lasch	Robson	Terry, J.F.
Bush	Glenn	Lawson	Roche	Thompson
Butts	Gould	Lee	Ryder, E.L.	Thornton
Callahan	Gray	Lounsbury	Scanlon	Tilton
Carroll	Harrigan	Loonan	Schoepflin	Trainor
Chapman	Hennessy	McDermott	Schulz, F.F.	Tuttle
Clark, F. E.	Higbie	McKeon	Schulz, H	Vacheron
Clark, J. H.	Hobbie	McNamee	Seibert	Vehslage
Conklin	Hoefler	Melody	Sheffield	Wells
Coughlin	Horton	Mitnacht	Sherwood	Whittet
Cutler	Hotaling	Myers	Smith, M.F.	Wieman
Dean	Houghton	Nixon	Smith, S.W.	Wilcox
Denniston	Keck	O'Grady	Snyder	Wray
Dinkelspiel	Keenan	Parkhurst	Southworth	Wyckoff
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 798) entitled "An act to repeal section 9 of chapter 347 of the Laws of 1880, entitled 'An act to provide for the reporting of appointments or commitments to the benevolent institutions of the State, excepting the county of Kings,' so as to make the provisions of said act applicable to every county of the State" (Rec. No. 390), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Nixon	Southworth
Babcock	Dinkelspiel	Howe	O'Donnell	Stein
Baker	Douglas	Keck	Parkhurst	Stone
Berry	Dowling	Keleher	Plant	Sulzer
Braun	Eldredge	Kelsey	Porter	Taylor
Brennan	Fairbrother	Kerr	Prescott	Terry, C. W.
Brownell	Fish	Kern	Rider, J.J.	Terry, J. F.
Burtis	Foley	Kneeland	Robbins	Thompson
Bush	Friday	La Fetra	Robertson	Thornton
Butts	Fuller	Lasch	Robson	Tilton
Callahan	Gardiner	Lawson	Roche	Tobin
Carroll	Gerst	Lee	Ryder, E.L.	Trainor
Cassin	Glenn	Lounsbury	Scanlon	Tuttle
Chapman	Gould	Loonan	Schoepflin	Vacheron
Clark, F. E.	Gray	Matthews	Schulz, F.F.	Van Amber
Clark, J. H.	Herrman	McDermott	Schulz, H	Vehslage
Conklin	Higbie	McKeon	Seibert	Wells
Coughlin	Hobbie	McNamee	Sherwood	Whittet
Cutler	Hoeftler	Melody	Smith, M.F.	Wieman
Davidson	Horton	Messiter	Smith, S.W.	Wilcox
Dean	Hotaling	Mittnacht	Snyder	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 939) entitled "An act to authorize the Board of Claims to hear, audit and determine the claim of John Moore, and to make an award thereon" (Rec. No. 489), was read the second time.

On motion of Mr. Kern, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Myers	Stadtfeld
Babcock	Denniston	Houghton	O'Donnell	Stein
Baker	Dinkelspiel	Howe	O'Grady	Stewart

Berry	Douglas	Keck	Plant	Stone
Braun	Dowling	Keleher	Prescott	Sulzer
Brennan	Eldredge	Kelsey	Rider, J.J.	Taylor
Brownell	Fairbrother	Kerr	Robbins	Terry, C.W.
Burtis	Fish	Kern	Robertson	Terry, J.F.
Bush	Foley	Kerrigan	Robson	Thompson
Butts	Friday	La Petra	Roche	Thornton
Cahill	Fuller	Lasch	Ryder, E.L.	Tilton
Cain	Gardiner	Lawson	Scanlon	Tuttle
Callahan	Gerst	Lee	Schoepflin	Vacheron
Carroll	Gleason	Lounsbury	Schulz, F.F.	Van Amber
Chambers	Glenn	Loonan	Schulz, H	Vehslage
Chapman	Gould	Marrin	Sheffield	Wells
Clark, F.E.	Gray	Matthews	Sherwood	Whittet
Clark, J. H.	Herrman	McKeon	Smith, M.F.	Wieman
Conklin	Higbie	McNamee	Smith, S.W.	Wilcox
Corrigan	Hobbie	Melody	Snyder	Wray
Coughlin	Hoefer	Mitnacht	Southworth	Wyckoff
Cutler	Horton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 229) entitled "An act to amend chapter 627 of the Laws of 1893, entitled 'An act authorizing the city of Yonkers to purchase and erect a crematory in which to burn garbage and other substances'" (Rec. No. 39), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Keck	Plant	Stewart
Babcock	Douglas	Keenan	Porter	Stone
Baker	Dowling	Keleher	Prescott	Sulzer
Berry	Eldredge	Kelsey	Reilly	Taylor
Braun	Fairbrother	Kerr	Rider, J.J.	Terry, C.W.
Brennan	Fish	Kern	Robbins	Terry, J.F.

Brownell	Friday	Kneeland	Robertson	Thompson
Burtis	Fuller	La Fetra	Robson	Thornton
Bush	Gardiner	Lasch	Roche	Tilton
Butts	Gerst	Lawson	Scanlon	Tobin
Carroll	Glenn	Lee	Schoepflin	Trainor
Cassin	Gould	Lounsbury	Schulz, F.F.	Tuttle
Chambers	Gray	Marrin	Schulz, H	Vacheron
Chapman	Harrigan	Matthews	Seibert	Van Amber
Clark, F.E.	Herrman	McDermott	Sheffield	Vehslage
Clark, J. H.	Higbie	McNamee	Sherwood	Wells
Conklin	Hobbie	Melody	Smith, M.F.	Whittet
Coughlin	Hoefer	Messiter	Smith, S.W.	Wieman
Cutler	Horton	Mitnacht	Snyder	Wilcox
Davidson	Hotaling	Nixon	Southworth	Wray
Dean	Houghton	O'Grady	Stadtfeld	Wyckoff
Denniston	Howe	Parkhurst	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1079) entitled "An act for the preservation of macadamized public highways in Queens county" (Rec. No. 425), was read the second time.

On motion of Mr. Fairbrother, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Keenan	Porter	Stein
Babcock	Dowling	Keleher	Prescott	Stevens
Baker	Eldredge	Kerr	Reilly	Stewart
Berry	Fairbrother	Kern	Rider, J.J.	Sulzer
Braun	Finnigan	Kneeland	Robbins	Taylor
Brennan	Fish	La Fetra	Robertson	Terry, C.W.
Brownell	Friday	Lasch	Robinson	Terry, J.F.
Burtis	Fuller	Lawson	Robson	Thompson
Bush	Gardiner	Lee	Roche	Thornton
Butts	Gerst	Lounsbury	Ryder, E.L.	Tilton
Callahan	Glenn	Loonan	Scanlon	Tobin
Carroll	Gould	Marrin	Schoepflin	Tuttle

Cassin	Gray	Matthews	Schulz, F. F.	Vacheron
Chambers	Harrigan	McDermott	Schulz, H	Van Amber
Clark, F.E.	Herrman	McNamee	Seibert	Vehslage
Clark, J. H.	Higbie	Melody	Sheffield	Wells
Conklin	Hobbie	Messiter	Sherwood	Whittet
Cutler	Hoeftler	Myers	Smith, M.F.	Wieman
Davidson	Horton	Nixon	Smith, S.W.	Wilcox
Dean	Hotaling	O'Grady	Snyder	Wray
Denniston	Howe	Parkhurst	Southworth	Wyckoff
Dinkelspiel	Keck	Plant		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1102) entitled "An act to repeal section 1023, and to amend sections 993, 1022 and 1337 of the Code of Civil Procedure" (Rec. No. 507), was read the second time.

On motion of Mr. Cutler, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 107 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	O'Donnell	Southworth
Babeock	Denniston	Howe	Parkhurst	Stein
Baker	Dinkelspiel	Keck	Plant	Stevens
Berry	Douglas	Keenan	Porter	Stone
Braun	Dowling	Keleher	Prescott	Sulzer
Brennan	Eldredge	Kerr	Reilly	Taylor
Brownell	Fairbrother	Kern	Rider, J.J.	Ferry, C.W.
Burtis	Fish	Kerrigan	Robbins	Terry, J.F.
Bush	Foley	Kneeland	Robertson	Thompson
Butts	Friday	Lasch	Robson	Thornton
Cahill	Fuller	Lawson	Roche	Tilton
Callahan	Gardiner	Lee	Ryder, E.L.	Tobin
Carroll	Gerst	Lounsbury	Scanlon	Trainor
Cassin	Glenn	Matthews	Schoepflin	Tuttle
Chambers	Gould	McDermott	Schulz, F.F.	Vacheron
Chapman	Gray	McKeon	Schulz, H	Vehslage
Clark, F.E.	Herrman	Melody	Sheffield	Wells

Clark, J. H.	Higbie	Messiter	Sherwood	Wieman
Conklin	Hobbie	Mittnacht	Smith, M.F.	Wilcox
Coughlin	Hoefler	Myers	Smith, S.W.	Wray
Cutler	Horton	Nixon	Snyder	Wyckoff
Davidson	Hotaling			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act reappropriating money heretofore appropriated to buy land for the New York State Custodial Asylum of Newark, New York" (Rec. No. 490), was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Parkhurst	Stadtfeld
Babcock	Douglas	Keck	Porter	Stein
Baker	Dowling	Keenan	Prescott	Stevens
Berry	Eldredge	Kelsey	Rider, J.J.	Stone
Braun	Fairbrother	Kern	Robbins	Sulzer
Brennan	Fish	Kneeland	Robertson	Taylor
Brownell	Foley	La Fetra	Robinson	Terry, C.W.
Burtis	Friday	Lasch	Robson	Terry, J.F.
Bush	Fuller	Lawson	Roche	Thompson
Cahill	Gardiner	Lee	Ryder, E.L.	Thornton
Cain	Gerst	Lounsbury	Scanlon	Tilton
Carroll	Glenn	Loonan	Schoepflin	Trainor
Cassin	Gould	Matthews	Schulz, F. F.	Tuttle
Chambers	Gray	McDermott	Schulz, H	Vacheron
Chapman	Harrigan	McKeon	Seibert	Van Amber
Clark, F.E.	Herrman	Melody	Sheffield	Wells
Clark, J. H.	Higbie	Messiter	Sherwood	Whittet
Conklin	Hobbie	Myers	Smith, M.F.	Wieman
Cutler	Hoefler	Nixon	Smith, S.W.	Wilcox
Davidson	Horton	O'Donnell	Snyder	Wray
Dean	Hotaling	O'Grady	Southworth	Wyckoff
Denniston	Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1099) entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine and audit the claim of Ludwig Baumann for goods furnished to the fire department of the city of New York, and to make appropriation for the payment of the same" (Rec. No. 499), was read the second time.

On motion of Mr. Herrman, said bill was placed on the order of third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Hoysradt	O'Grady	Stadtfeld
Babcock	Douglas	Keck	Parkhurst	Stein
Baker	Dowling	Keenan	Plant	Stevens
Berry	Fairbrother	Keleher	Porter	Stewart
Braun	Finnigan	Kelsey	Prescott	Stone
Brennan	Fish	Kern	Reilly	Sulzer
Brownell	Foley	Kneeland	Robbins	Terry, C.W.
Burtis	Friday	La Fetra	Robertson	Terry, J.F.
Butts	Gerst	Lasch	Robinson	Thompson
Cahill	Gleason	Lawson	Robson	Thornton
Cain	Glenn	Lee	Roche	Tilton
Callahan	Gould	Lounsbury	Ryder, E.L.	Tobin
Carroll	Gray	Loonan	Scanlon	Trainor
Cassin	Harrigan	Marrin	Schoepflin	Tuttle
Chapman	Hennessy	McKeon	Schulz, F.F.	Vacheron
Clark, F.E.	Herrman	McNamee	Schulz, H	Vehslage
Conklin	Higbie	Melody	Seibert	Wells
Corrigan	Hobbie	Messiter	Shetfield	Whittet
Coughlin	Horton	Mittnacht	Sherwood	Wieman
Cutler	Hotaling	Myers	Smith, S.W.	Wilcox
Davidson	Houghton	Nixon	Snyder	Wray
Dean	Howe	O'Donnell	Southworth	Wyckoff
Denniston				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to confer jurisdiction upon the Board of Claims to hear and determine the claim of Pal. Gawkins and the claim of the estate of Gibbs Hanly, deceased, against the State" (Rec. No. 368), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Hotaling	Messiter	Smith, M.F.
Babcock	Dinkelspiel	Houghton	Mittnacht	Smith, S.W.
Baker	Douglas	Hoysradt	Myers	Snyder
Berry	Dowling	Keck	Nixon	Southworth
Braun	Eldredge	Keenan	O'Donnell	Stadtfeld
Brennan	Fairbrother	Keleher	Parkhurst	Stein
Brownell	Finnigan	Kelsey	Plant	Stevens
Burtis	Fish	Kerr	Porter	Stewart
Bush	Foley	Kern	Prescott	Stone
Butts	Friday	Kerrigan	Reilly	Sulzer
Cahill	Fuller	Kneeland	Robbins	Taylor
Cain	Gerst	La Fetra	Robertson	Terry, C.W.
Callahan	Gleason	Lasch	Robinson	Terry, J.F.
Cassin	Glenn	Lawson	Robson	Thompson
Chambers	Gould	Lee	Roche	Thornton
Chapman	Gray	Lounsbury	Scanlon	Tilton
Clark, J. H.	Harrigan	Loonan	Schillinger	Tobin
Conklin	Hennessy	Marrin	Schoepflin	Trainor
Corrigan	Herrman	Matthews	Schulz, F. F.	Van Amber
Coughlin	Higbie	McDermott	Seibert	Vehslage
Cutler	Hobbie	McNamee	Sheffield	Whittet
Davidson	Hoefler	Melody	Sherwood	Wieman
Dean				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (not printed) entitled "An act to authorize the board of education in union free school district No. 6, in the town

of Ontario, county of Wayne, and State of New York, to issue bonds for the purpose of purchasing a site and erecting a union free school in said district" (Rec. No. 491), was read the second time.

On motion of Mr. Horton, said bill was ordered to a third reading.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Finnigan	Keleher	Nixon	Smith, S.W.
Babcock	Fish	Kelsey	O'Donnell	Snyder
Baker	Foley	Kerr	Parkhurst	Southworth
Berry	Friday	Kern	Plant	Stevens
Braun	Fuller	Kerrigan	Porter	Stewart
Brennan	Gardiner	Kneeland	Prescott	Stone
Brownell	Gerst	La Fetra	Reilly	Sulzer
Burtis	Gray	Lasch	Rider, J.J.	Taylor
Bush	Harrigan	Lawson	Robbins	Terry, C W.
Butts	Herrman	Lee	Robertson	Thompson
Cahill	Higbie	Lounsbury	Robinson	Thornton
Cain	Hobbie	Marrin	Robson	Tilton
Callahan	Hoefer	Matthews	Roche	Trainor
Carroll	Horton	McDermott	Ryder, E.L.	Tuttle
Chambers	Hotaling	McKeon	Schillinger	Van Amber
Chapman	Houghton	McNamee	Schoepflin	Whittet
Cutler	Howe	Melody	Schulz, F. F.	Wieman
Davidson	Hoysradt	Messiter	Seibert	Wilcox
Dowling	Keck	Mitnacht	Sheffield	Wray
Eldredge	Keenan	Myers	Sherwood	Wyckoff
Fairbrother				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Sulzer called from the table the Senate bill (No. 186) entitled "An act to amend the railroad law, in relation to improvements in railroad appliances" (Rec. No. 209), previously laid aside on the order of second reading.

Said bill was then read the second time and ordered to a third reading.

On motion of Mr. Sulzer, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hoefer	McNamee	Sherwood
Babcock	Denniston	Horton	Melody	Smith, S.W.
Baker	Dinkelspiel	Hotaling	Messiter	Snyder
Berry	Douglas	Howe	Mittnacht	Southworth
Braun	Dowling	Hoysradt	Myers	Stadtfeld
Brennan	Eldredge	Keck	Nixon	Stein
Brownell	Fairbrother	Keenan	O'Grady	Stevens
Burtis	Fish	Keleher	Parkhurst	Stewart
Bush	Foley	Kelsey	Plant	Stone
Butts	Friday	Kerr	Porter	Taylor
Cahill	Fuller	Kern	Prescott	Terry, J.F.
Cain	Gardiner	Kerrigan	Reilly	Thompson
Callahan	Gerst	Kneeland	Robbins	Tilton
Carroll	Gleason	La Fetra	Robertson	Tobin
Cassin	Glenn	Lasch	Robinson	Trainor
Chambers	Gould	Lawson	Robson	Tuttle
Chapman	Gray	Lee	Roche	Vacheron
Clark, F.E.	Harrigan	Lounsbury	Scanlon	Van Amber
Conklin	Hennessy	Marrin	Schillinger	Vehslage
Corrigan	Herrman	Matthews	Schulz, F. F.	Wells
Coughlin	Higbie	McDermott	Seibert	Wray
Cutler	Hobbie	McKeon	Sheffield	Wyckoff
Davidson				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill No. 1223, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to the opening of streets and avenues in the Twenty-third and Twenty-fourth wards and the department of public works of the city of

New York" (Rec. No. 1082), with a message that they have concurred in the passage of the same, with the following amendment:

Section 1, line 6, strike out present section 337, and insert the following:

§ 337. The commissioner of public works shall have the care, control and maintenance of all streets and avenues in the city of New York provided, however, that street sprinkling may be done by private contract and that where the street sprinkling is performed by private contract, then said commissioner of public works shall grant the license or privilege to use Croton water at a rate not to exceed three cents per hundred gallons to the contractor or contractors engaged in such private street sprinkling business when said contract or contractors represent a majority of the subscribers along the route for which said sprinkling is to be done. The prices to be charged by said contractor or contractors shall not exceed one cent per week per lineal foot on each side of the street so sprinkled by said contractor or contractors. Such contractor or contractors shall not make it obligatory on the part of any property owner or resident to subscribe for the sprinkling of the avenue or street in which said property or residence is located. This act shall not apply to the streets embraced within the Twenty-third and Twenty-fourth wards and the improvement upon the same after completion, nor shall it apply to that portion of any exterior street where power is now or may hereafter become vested in the department of docks."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Cutler	Herrman	Mittnacht	Southworth
Babcock	Davidson	Higbie	Myers	Stadtfield
Baker	Dean	Hobbie	Nixon	Stevens
Berry	Denniston	Hoefler	O'Donnell	Stewart
Braun	Dinkelspiel	Horton	O'Grady	Stone
Brennan	Douglas	Hotaling	Plant	Terry, J.F.
Brownell	Dowling	Houghton	Prescott	Thompson
Burtis	Eldredge	Howe	Reilly	Thornton
Bush	Finnigan	Hoysradt	Robbins	Tilton
Butts	Fish	Keck	Robertson	Tobin
Cahill	Foley	Keenan	Robson	Trainor
Cain	Friday	Keleher	Roche	Vacheron
Callahan	Fuller	Kelsey	Scanlon	Van Amber
Carroll	Gardiner	Kerr	Schillinger	Vehslage

Cassin	Gerst	Kern	Schoepflin	Wells
Chambers	Gleason	Kerrigan	Schulz, F.F.	Whittet
Chapman	Glenn	Kneeland	Seibert	Wieman
Clark, F.E.	Gould	Lawson	Sheffield	Wilcox
Clinklin	Gray	Matthews	Sherwood	Wray
Corrigan	Harrigan	McDermott	Smith, M.F.	Wyckoff
Coughlin	Hennessy	Melody	Snyder	

In the negative,

Sulzer

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wolfert, Rec. No. 342, entitled "An act to provide for the annexation to the city of Brooklyn of the town of New Utrecht," reported in favor of the passage of the same, with the following amendments:

Page 12, line 2, change the word "July" to the word "January."

Same page, line 13, change the word "four" to the word "five."

HAMILTON FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish moved that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	H	Porter	Stewart
Babcock	Eldredge	Howe	Prescott	Stone
Baker	Fairbrother	Keck	Rider, J.J.	Taylor
Braun	Fish	Keenan	Robbins	Terry, C. W.
Brownell	Foley	Kelsey	Robertson	Terry, J.F.
Burtis	Friday	Kern	Robson	Thompson
Cahill	Fuller	Kneeland	Roche	Thornton

Cain	Gardiner	Lawson	Ryder, E.L.	Tilton
Callahan	Gerst	Lee	Scanlon	Trainor
Carroll	Gleason	Lounsbury	Seibert	Tuttle
Chambers	Glenn	Marrin	Sheffield	Vacheron
Clark, F.E.	Gould	Matthews	Sherwood	Van Amber
Clark, J. H.	Gray	McKeon	Smith, M.F.	Vehslage
Conklin	Herrman	McNamee	Smith, S.W.	Wells
Coughlin	Higbie	Messiter	Snyder	Whittet
Cutler	Hobbie	Mittnacht	Stadtfeld	Wilcox
Davidson	Hoefer	Nixon	Stein	Wray
Dean	Horton	O'Grady	Stevens	Wyckoff
Denniston	Hotaling	Parkhurst		

Those who voted in the negative, were

Berry **Finnigan** **Schulz, F.F.**

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 852) entitled "An act authorizing the construction of a wrought-iron bridge over the Tonawanda creek at Pickardsville, in the counties of Niagara and Erie, and making an appropriation therefor" (Rec. No. 357), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Houghton	Messiter	Smith, S.W.
Babcock	Dinkel Spiel	Howe	Mittnacht	Snyder
Baker	Dowling	Hoysradt	Myers	Southworth
Berry	Eldredge	Keck	Nixon	Stadtfeld
Braun	Fairbrother	Keenan	O'Grady	Stein
Brennan	Finnigan	Keleher	Parkhurst	Stevens
Brownell	Fish	Kelsey	Plant	Stewart
Burtis	Foley	Kerr	Porter	Stone
Bush	Friday	Kern	Prescott	Sulzer
Butts	Fuller	Kerrigan	Reilly	Taylor
Cahill	Gardiner	Kneeland	Robbins	Terry, C. W.
Cain	Gerst	La Petra	Robertson	Terry, J.F.
Callahan	Glenn	Lasch	Robinson	Thompson

Cassin	Gould	Lawson	Robson	Thornton
Chambers	Gray	Lee	Roche	Tilton
Clark, F.E.	Harrigan	Lounsbury	Ryder, E.L.	Tobin
Clark, J. H.	Hennessey	Loonan	Schillinger	Trainor
Conklin	Herrman	Marrin	Schoepflin	Tuttle
Corrigan	Higbie	Matthews	Schulz, F.F.	Vacheron
Coughlin	Hobbie	McDermott	Seibert	Wells
Cutler	Hoefer	McKeon	Sheffield	Whittet
Davidson	Horton	McNamee	Sherwood	Wray
Dean	Hotaling	Melody	Smith, M.F.	Wyckoff

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Messiter, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Wolfert, Rec. No. 343, entitled "An act providing for local improvements in the town of New Utrecht, and to establish a fund and tax assessments for the expense thereof," reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Hennessey, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 1 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Keck	O'Grady	Stadtfeld
Babcock	Dinkelspiel	Keenan	Parkhurst	Stein
Baker	Douglas	Keleher	Plant	Stevens
Berry	Dowling	Kelsey	Porter	Stewart
Braun	Eldredge	Kerr	Prescott	Stone
Brennan	Fairbrother	Kern	Reilly	Sulzer
Brownell	Finnigan	Kerrigan	Rider, J.J.	Taylor
Burtis	Fish	Kneeland	Robbins	Terry, C.W.
Bush	Foley	La Fetra	Robertson	Terry, J.F.
Butts	Friday	Lasch	Robinson	Thompson
Cahill	Fuller	Lawson	Robson	Thornton
Cain	Gardiner	Lee	Roche	Tilton
Callahan	Glenn	Lounsbury	Scanlon	Tobin
Carroll	Gould	Loonan	Schillinger	Trainor

Cassin	Gray	Marrin	Schoepflin	Tuttle
Chambers	Harrigan	Matthews	Schulz, H	Vacheron
Chapman	Hennessy	McDermott	Seibert	Van Amber
Clark, F.E.	Herrman	McNamee	Sheffield	Wells
Conklin	Higbie	Melody	Sherwood	Whittet
Corrigan	Hobbie	Messiter	Smith, M.F.	Wieman
Coughlin	Hoefer	Mittnacht	Smith, S.W.	Wilcox
Cutler	Hotaling	Myers	Snyder	Wray
Davidson	Houghton	Nixon	Southworth	Wyckoff
Dean	Howe	O'Donnell		

In the negative,

Gerst

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Fish, and by unanimous consent, the Senate bill (No. 934) entitled "An act to authorize the city of Albany to borrow money and issue bonds for the purchase or building of a garbage crematory for the use of said city" (Rec. No. 323), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	McNamee	Sheffield
Babcock	Denniston	Hotaling	Melody	Sherwood
Baker	Dinkelspiel	Houghton	Messiter	Smith, M.F.
Berry	Douglas	Howe	Mittnacht	Snyder
Braun	Dowling	Hoysradt	Nixon	Southworth
Brennan	Eldredge	Keck	O'Donnell	Stadtfeld
Brownell	Fairbrother	Keenan	O'Grady	Stein
Burtis	Finnigan	Keleher	Parkhurst	Stevens
Bush	Fish	Kelsey	Plant	Stewart
Butts	Foley	Kerr	Porter	Stone
Cahill	Friday	Kern	Prescott	Sulzer
Cain	Fuller	Kerrigan	Reilly	Taylor
Callahan	Gardiner	Kneeland	Rider, J.J.	Terry, J.F.
Carroll	Gerst	La Fetra	Robbins	Thompson
Cassin	Gleason	Lasch	Robertson	Thornton
Chambers	Gould	Lawson	Robinson	Tilton

Chapman	Gray	Lee	Robson	Tobin
Clark, F.E.	Harrigan	Lounsbury	Roche	Vacheron
Conklin	Hennessy	Loonan	Scanlon	Vehslage
Corrigan	Herrman	Marrin	Schillinger	Wells
Coughlin	Higbie	Matthews	Schoepflin	Wilcox
Cutler	Hobbie	McDermott	Schulz, H	Wray
Davidson	Hoefer	McKeon	Seibert	Wyckoff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Fairbrother, and by unanimous consent, the Senate bill (No. 1052) entitled "An act to further amend chapter 449 of the Laws of 1871, entitled "An act authorizing the trustees of the village of College Point to issue bonds and borrow money for the erection of a school-house in said village, and to increase the school tax in said village,' as amended by chapter 111 of the Laws of 1887" (Rec. No. 428), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hobbie	Marrin	Ryder, E.L.
Babcock	Dean	Hoefer	Matthews	Scanlon
Baker	Denniston	Horton	McDermott	Schillinger
Berry	Dinkelspiel	Hotaling	McKeon	Schoepflin
Braun	Douglas	Houghton	McNamee	Schulz, F.F.
Brennan	Dowling	Howe	Melody	Seibert
Brownell	Eldredge	Hoysradt	Messiter	Smith, M.F.
Burtis	Fairbrother	Keck	Mittnacht	Southworth
Bush	Finnigan	Keenan	Nixon	Stadtfeld
Butts	Fish	Keleher	O'Donnell	Stein
Cahill	Foley	Kelsey	O'Grady	Stone
Cain	Friday	Kerr	Parkhurst	Sulzer
Callahan	Fuller	Kern	Plant	Thornton
Carroll	Gerst	Kerrigan	Porter	Tilton
Cassin	Gleason	Kneeland	Prescott	Tuttle
Chambers	Glenn	La Petra	Reilly	Van Amber
Chapman	Gould	Lasch	Rider, J.J.	Vehslage
Clark, F.E.	Gray	Lawson	Robbins	Whittet
Conklin	Hennessy	Lee	Robertson	Wieman

Corrigan	Herrman	Lounsbury	Robinson	Wray
Coughlin	Higbie	Loonan	Roche	Wyckoff
Cutler				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Cutler, and by unanimous consent, the Senate bill (No. 941) entitled "An act to enable owners of lands which have been subdivided by map into lots or plots to disclaim and abandon the subdivision thereof" (Rec. No. 501), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	86	}
{	NOES	60	}

Those who voted in the affirmative, were

Ainsworth	Corrigan	Gerst	Lawson	Robbins
Babcock	Coughlin	Gould	Loonan	Robertson
Baker	Cutler	Gray	Marrin	Robinson
Berry	Davidson	Hennessy	Matthews	Robson
Braun	Dean	Herrman	McDermott	Roche
Brennan	Denniston	Hobbie	McKeon	Scanlon
Brownell	Dinkelspiel	Hoefler	Melody	Schillinger
Burtis	Douglas	Horton	Messiter	Schoepflin
Bush	Dowling	Hotaling	Mittnacht	Snyder
Butts	Eldredge	Houghton	Myers	Southworth
Cahill	Fairbrother	Hoysradt	O'Donnell	Sulzer
Cain	Finnigan	Keenan	O'Grady	Terry, J.F.
Callahan	Fish	Keleher	Parkhurst	Thornton
Carroll	Foley	Kerr	Plant	Tilton
Cassin	Friday	Kern	Porter	Van Amber
Chambers	Fuller	Kneeland	Prescott	Whittet
Clark, F.E.	Gardiner	La Petra	Reilly	Wray
Conklin				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Chambers, and by unanimous consent, the Senate bill (No. 894) entitled "An act to create a new sewer com-

mission for the village of West Troy" (Rec. No. 354), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Chapman	Fish	Hotaling	Snyder
Babcock	Clark, F.E.	Foley	Houghton	Southworth
Baker	Clark, J. H.	Friday	Howe	Stadtfield
Berry	Conklin	Gardiner	Hoysradt	Stein
Braun	Corrigan	Gerst	Keenan	Stevens
Brennan	Coughlin	Gleason	Melody	Stone
Brownell	Cutler	Glenn	Parkhurst	Sulzer
Burtis	Davidson	Gould	Reilly	Terry, C.W.
Bush	Dean	Gray	Robertson	Thompson
Butts	Denniston	Harrigan	Robinson	Thornton
Cahill	Dinkelspiel	Hennessy	Robson	Tilton
Cain	Douglas	Herrman	Roche	Tobin
Callahan	Dowling	Higbie	Schillinger	Vacheron
Carroll	Eldredge	Hobbie	Schoepflin	Wells
Cassin	Fairbrother	Hoefer	Schulz, F.F.	Whittet
Chambers	Finnigan	Horton	Seibert	Wray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Fish, and by unanimous consent, the bill (No. 1655) entitled "An act to amend section 37 of chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws'" (Int. No. 1419), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Babcock	Dowling	Keleher	Porter	Stadtfield
Baker	Eldredge	Kelsey	Prescott	Stevens
Berry	Fairbrother	Kerr	Rider, J.J.	Stewart

Braun	Fish	Kerrigan	Reilly	Stone
Brennan	Foley	Kneeland	Robbins	Sulzer
Brownell	Friday	La Fetra	Robertson	Taylor
Burtis	Fuller	Lasch	Robinson	Terry, C.W.
Bush	Gardiner	Lawson	Robson	Terry, J.F.
Butts	Gerst	Lee	Roche	Thompson
Cain	Gleason	Lounsbury	Ryder, E.L.	Thornton
Callahan	Glenn	Loonan	Scanlon	Tilton
Carroll	Gray	Marrin	Schillinger	Tobin
Cassin	Harrigan	McKeon	Schoepflin	Trainor
Chambers	Hennessey	McNamee	Schulz, F.F.	Tuttle
Chapman	Hobbie	Melody	Schulz, H	Vacheron
Clark, F.E.	Hoefer	Messiter	Seibert	Van Amber
Clark, J. H.	Horton	Myers	Sheffield	Wells
Conklin	Hotaling	Nixon	Sherwood	Whittet
Corrigan	Houghton	O'Donnell	Smith, M. F.	Wieman
Cutler	Howe	O'Grady	Smith, S.W.	Wilcox
Dean	Hoysradt	Parkhurst	Snyder	Wray
Denniston	Keck	Plant	Southworth	Wyckoff
Dinkelspiel	Keenan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Keck moved that the bill (No. 1753) entitled "An act relating to membership corporations, constituting chapter 43 of the general laws" (Int. No. 1147), reported by the committee on rules yesterday, do now have its third reading.

Mr. Sulzer moved to lay said bill aside.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sulzer, and it was determined in the affirmative.

The Senate bill (No. 680) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo'" (Rec. No. 334), was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Nixon	Stein
Babcock	Denniston	Howe	O'Donnell	Stevens
Baker	Dinkelspiel	Keck	O'Grady	Stewart

Berry	Douglas	Keenan	Porter	Stone
Braun	Dowling	Keleher	Prescott	Sulzer
Brennan	Fairbrother	Kelsey	Rider, J.J.	Taylor
Brownell	Finnigan	Kern	Robbins	Terry, C.W.
Burtis	Friday	Kerrigan	Robertson	Terry, J.F.
Bush	Fuller	La Fetra	Robson	Thompson
Butts	Gardiner	Lasch	Roche	Thornton
Cahill	Gerst	Lawson	Ryder, E.L.	Tilton
Cain	Gleason	Lee	Scanlon	Tobin
Callahan	Glenn	Lounsbury	Schoepflin	Trainor
Cassin	Gould	Loonan	Schulz, F.F.	Tuttle
Chambers	Gray	Marrin	Schulz, H	Vacheron
Chapman	Harrigan	Matthews	Sheffield	Van Amber
Clark, F.E.	Herrman	McDermott	Sherwood	Wells
Clark, J. H.	Higbie	McKeon	Smith, M.F.	Whittet
Conklin	Hobbie	Melody	Smith, S.W.	Wieman
Corrigan	Hoefer	Messiter	Snyder	Wilcox
Coughlin	Horton	Mittnacht	Southworth	Wray
Gutler	Hotaling	Myers	Stadtfeld	Wyckoff
Davidson				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ainsworth moved to reconsider the vote by which the Senate bill (No. 935) entitled "An act to provide for the annexation to the city of Brooklyn of the town of New Utrecht" (Rec. No. 342), was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 5 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Horton	Mittnacht	Southworth
Babeock	Dowling	Hotaling	Nixon	Stadtfeld
Baker	Eldredge	Houghton	O'Grady	Stein
Berry	Fairbrother	Howe	Porter	Stevens
Braun	Fish	Kelsey	Prescott	Stone
Brennan	Foley	Kern	Rider, J.J.	Terry, C. W.
Brownell	Friday	Kerrigan	Robbins	Terry, J.F.
Burtis	Fuller	Kneeland	Robertson	Thompson
Callahan	Gardiner	La Fetra	Robson	Thornton

Carroll	Gerst	Lasch	Roche	Tilton
Chambers	Gleason	Lawson	Ryder, E.L.	Trainor
Chapman	Glenn	Lee	Scanlon	Tuttle
Clark, F.E.	Gould	Lounsbury	Schillinger	Vacheron
Clark, J. H.	Gray	Marrin	Schoepflin	Van Amber
Conklin	Harrigan	Matthews	Schulz, H	Wells
Cutler	Hennessy	McDermott	Sherwood	Whittet
Davidson	Herrman	McKeon	Smith, S.W.	Wilcox
Dean	Hobbie	Messiter	Snyder	Wray
Denniston	Hoeffler			

Those who voted in the negative, were

Cahill	Cassin	Finnigan	Schulz, F.F.	Wieman
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Mr. Ainsworth moved to strike out the following amendments made by the Assembly committee on affairs of cities:

Section 18, line 2, strike out the word "January" and insert the word "July."

Same section, line 3, strike out the word "four" and insert the word "five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 108 }
{ NOES 3 }

Those who voted in the affirmative, were

Ainsworth	Denniston	Horton	Myers	Stein
Babcock	Dinkelspiel	Hotaling	Nixon	Stevens
Baker	Douglas	Houghton	O'Grady	Stone
Berry	Dowling	Howe	Parkhurst	Sulzer
Braun	Eldredge	Keck	Plant	Taylor
Brennan	Fairbrother	Keleher	Porter	Terry, C.W.
Brownell	Fish	Kelsey	Prescott	Terry, J.F.
Burtis	Foley	Kerr	Rider, J.J.	Thompson
Bush	Friday	Kern	Robbins	Thornton
Butts	Fuller	Kerrigan	Robertson	Tilton
Cain	Gardiner	Kneeland	Robson	Tobin
Carroll	Gerst	La Fetra	Roche	Trainor
Cassin	Gleason	Lasch	Ryder, E.L.	Tuttle
Chambers	Glenn	Lawson	Scanlon	Vacheron
Chapman	Gould	Lee	Schoepflin	Van Amber

Clark, F.E.	Gray	Lounsbury	Schulz, H	Vehslage
Clark, J. H.	Harrigan	Marrin	Sherwood	Wells
Conklin	Hennessy	Matthews	Smith, M.F.	Whittet
Corrigan	Herrman	McDermott	Smith, S.W.	Wilcox
Cutler	Higbie	McNamee	Snyder	Wray
Davidson	Hobbie	Messiter	Stadtfeld	Wyckoff
Dean	Hoefer	Mittnacht		

Those who voted in the negative, were

Finnigan Schulz, F.F. Wieman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved to discharge the committee on affairs of cities from the further consideration of the Senate bill (No. 495) entitled "An act to provide for the repayment of moneys to the chamberlain of the city of Albany, heretofore paid to the Superintendent of Public Works, for the construction of a lift or hoist bridge on Water street, over the Erie canal, in the city of Albany." (Rec. No. 496.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Douglas	Howe	Plant	Stadtfeld
Babcock	Dowling	Hoysradt	Porter	Stein
Baker	Eldredge	Keck	Prescott	Stewart
Berry	Fairbrother	Keenan	Reilly	Stone
Braun	Finnigan	Keleher	Rider, J.J.	Sulzer
Brennan	Fish	Kern	Robbins	Taylor
Brownell	Foley	Kerrigan	Robertson	Terry, G.W.
Burtis	Friday	Kneeland	Robinson	Terry, J.F.
Bush	Fuller	La Fetra	Robson	Thompson
Butts	Gardiner	Lasch	Roche	Thornton
Cahill	Gerst	Lee	Ryder, E.L.	Tilton

Cain	Glenn	Lounsbury	Scanlon	Trainor
Chambers	Gould	Loonan	Schoepflin	Tuttle
Chapman	Gray	Marrin	Schulz, F.F.	Vacheron
Clark, F.E.	Harrigan	Matthews	Schulz, H	Van Amber
Clark, J. H.	Hennessy	McKeon	Seibert	Vehslage
Conklin	Higbie	McNamee	Sheffield	Wells
Corrigan	Hobbie	Melody	Sherwood	Whittet
Coughlin	Hoefer	Mitnacht	Smith, M.F.	Wilcox
Davidson	Horton	Myers	Smith, S.W.	Wray
Dean	Hotaling	O'Donnell	Snyder	Speaker
Dinkelspiel	Houghton	O'Grady	Southworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ainsworth offered for the consideration of the House a resolution, in the words following :

Resolved, That a committee of two be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has completed its labors and that it is ready to adjourn

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Ainsworth and Sulzer.

Mr. Fish offered for the consideration of the House a resolution, in the words following :

Resolved, That a committee of two be appointed by the Speaker to inform the Senate that the Assembly has completed its labors and that it is ready to adjourn.

Mr. Speaker put the question whether the House would agree said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Fish and Bush.

Mr. Keenan moved to reconsider the vote by which the first section of the Senate bill (No. 451) entitled "An act to amend chapter 409 of the Laws of 1886, entitled 'An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same'" (Rec. No. 273), was stricken out and the bill lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was

determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 69 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Corrigan	Hobbie	Porter	Stein
Baker	Coughlin	Howe	Prescott	Stevens
Berry	Cutler	Keleher	Robbins	Stewart
Braun	Douglas	Kern	Robertson	Stone
Brennan	Eldredge	Kerrigan	Robson	Taylor
Brownell	Fairbrother	Kneeland	Scanlon	Terry, C W.
Burtis	Friday	Lee	Schoepflin	Thornton
Bush	Fuller	Lounsbury	Schulz, F.F.	Tilton
Butts	Gardiner	Matthews	Schulz, H	Vacheron
Cain	Gerst	McKeon	Seibert	Vehslage
Callahan	Glenn	Messiter	Sheffield	Wells
Cassin	Gould	Nixon	Sherwood	Wray
Chambers	Gray	O'Grady	Smith, S.W.	Wyckoff
Clark, F.E.	Harrigan	Parkhurst	Snyder	

Mr. Speaker then put the question whether the House would agree to the motion of Mr. Foley to strike out the first section, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
 { NOES 8 }

Those who voted in the affirmative, were

Ainsworth	Davidson	Hoefler	McKeon	Schulz, H
Babcock	Dean	Horton	McNamee	Seibert
Baker	Denniston	Hotaling	Melody	Sheffield
Berry	Dinkelspiel	Houghton	Messiter	Sherwood
Braun	Douglas	Keck	Mittnacht	Smith, S. W.
Brennan	Eldredge	Keenan	Myers	Snyder
Brownell	Fairbrother	Keleher	Nixon	Stadtfeld
Burtis	Finnigan	Kelsey	O'Donnell	Stein
Bush	Fish	Kerr	O'Grady	Stevens
Butts	Foley	Kern	Parkhurst	Stewart
Cahill	Friday	Kerrigan	Plant	Stone
Cain	Fuller	Kneeland	Porter	Taylor

Callahan	Gardiner	La Fetra	Prescott	Terry, J. F.
Carroll	Gerst	Lasch	Reilly	Thornton
Cassin	Glenn	Lawson	Rider, J.J.	Van Amber
Chambers	Gould	Lee	Robertson	Vehslage
Chapman	Gray	Lounsbury	Robinson	Wells
Clark, J. H.	Harrigan	Loonan	Robson	Wieman
Co klin	Hennessy	Marrin	Roche	Wilcox
Corrigan	Herrman	Matthews	Scanlon	Wray
Coughlin	Higbie	McDermott	Schulz, F.F.	Wyckoff
Cutler	Hobbie			

Those who voted in the negative, were

Dowling	Robbins	Schillinger	Terry, C W.	Tilton
Howe	Ryder, E.L.	Sulzer		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Dean offered for the consideration of the House a resolution, in the words following :

Whereas, At the hearings before the committee on public lands and forestry, it has been repeatedly alleged and shown that by reason of the imperfections of the existing laws providing for the cancellation of tax sales and relating to matters connected with the lands in the forest preserve and to the preservation of the headwaters of the Hudson, and the conflicting interests of various parties holding or claiming to hold titles, the interests of the State as well as those of private persons have been materially jeopardized, the forests denuded and the sources of supply of the Hudson river threatened, and

Whereas, Numerous requests have been received by said committee asking for extended hearings to the end that the laws governing the subjects referred to may be revised and amended, and the rights and interests of the State and its citizens be fully defined and protected ; therefore,

Resolved, That the committee on public lands and forestry be and they are hereby authorized and empowered to fully and carefully examine into and investigate all matters pertaining to the cancellation of taxes, the Adirondack lands, the preservation of the headwaters of the Hudson and the denuding of the Adirondack forests, and the legislation necessary to secure the proper protection of the rights of the State and of individuals; and for the purpose of enabling said committee to carry out the purposes of this resolution they are hereby authorized and empowered to visit and hold their sessions at such places in the State as may tend, in their judgment, to the most convenient and expeditious hearing of the matters to them referred; to compel the attendance of witnesses and to employ a clerk; also

Resolved, That such committee report to the next Assembly on or before February 1, 1895, with their recommendations and with such proposed legislation as they may deem necessary pertaining to the matters involved herein.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Messrs. Fish and Bush, the committee appointed to wait upon the Senate, reported that they had performed that duty.

Messrs. Donaldson and Coffey, a committee from the Senate, appeared in the Assembly Chamber and reported that the Senate had completed its labors and were ready to adjourn.

Messrs. Ainsworth and Sulzer, the committee appointed to wait upon the Governor, reported that they had performed that duty.

The Senate returned the Assembly bill (not printed) entitled "An act to amend chapter 243 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' as amended and established by chapter 14, Laws of 1880, and the several acts amendatory thereof and supplementary thereto" (Int. No. 114), with a message that they have agreed to the report of the committee of conference thereon in the words following:

To the Legislature:

The undersigned, a committee of conference on the part of the Senate and Assembly upon Assembly bill, Int. No. 114, entitled "An act to amend chapter 240 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' as amended and established by chapter 14 of the Laws of 1880 and the several acts amendatory thereof and supplementary thereto, do respectfully report as follows:

Cross out the words "and contingent expenses" inserted after the word "wages," page 1, section 6 of engrossed bill as amended in Senate; change back the word "sixteen" to "fifteen" line 3, same section, as amended in Senate.

C. R. PARSONS,
CUTHBERT W. POUND,
FRANK A. O'DONNELL,
Senate Committee.

JAMES M. E. O'GRADY,
VICTOR DOWLING,
JAMES A. SOUTHWORTH,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Hotaling	Mittnacht	Stadtfeld
Babcock	Denniston	Houghton	Myers	Stein
Baker	Dinkelspiel	Howe	Nixon	Stevens
Berry	Douglas	Hoysradt	O'Donnell	Stewart
Braun	Dowling	Keenan	Parkhurst	Stone
Brennan	Eldredge	Keleher	Porter	Sulzer
Brownell	Fairbrother	Kelsey	Prescott	Taylor
Burtis	Finnigan	Kerr	Rider, J.J.	Terry, C.W.
Bush	Fish	Kern	Robbins	Thompson
Butts	Friday	Kerrigan	Robertson	Thornton
Cahill	Fuller	Kneeland	Robinson	Tobin
Cain	Gardiner	La Fetra	Robson	Trainor
Callahan	Gerst	Lasch	Roche	Tuttle
Carroll	Gleason	Lee	Scanlon	Vacheron
Cassin	Glenn	Lounsbury	Schillinger	Van Amber
Chambers	Gould	Loonan	Schoepflin	Vehslage
Chapman	Gray	Marrin	Seibert	Wells
Clark, J. H.	Harrigan	Matthews	Sherwood	Whittet
Conklin	Herrman	McDermott	Smith, M.F.	Wieman
Corrigan	Higbie	McKeon	Smith, S.W.	Wilcox
Coughlin	Hobbie	McNamee	Snyder	Wray
Cutler	Hoefler	Melody	Southworth	Wyckoff
Davidson	Horton	Messiter		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

The Senate sent for concurrence the following entitled bill :

"An act to amend chapter 707 of the Laws of 1893, entitled 'An act to incorporate the Model Town Company, to define its rights, powers and privileges and for other purposes'" (not printed, Rec. No. 517), was read the first time.

On motion of Mr. Fish, and by unanimous consent, said bill was then read the second and third times.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
 { NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Houghton	Nixon	Stevens
Babcock	Denniston	Howe	O'Donnell	Stewart
Baker	Dinkelspiel	Keck	O'Grady	Stone
Berry	Douglas	Keenan	Parkhurst	Sulzer
Braun	Eldredge	Keleher	Plant	Taylor
Brennan	Fairbrother	Kelsey	Porter	Terry, C.W.
Brownell	Finnigan	Kerr	Prescott	Terry, J.F.
Burtis	Fish	Kern	Reilly	Thompson
Bush	Foley	Kerrigan	Rider, J.J.	Thornton
Butts	Friday	Kneeland	Robbins	Tilton
Cahill	Fuller	La Fetra	Robertson	Tobin
Cain	Gardiner	Lasch	Scanlon	Trainor
Callahan	Gerst	Lawson	Schillinger	Tuttle
Carroll	Gould	Lounsbury	Schoepflin	Vacheron
Cassin	Gray	Loonan	Schulz, F.F.	Van Amber
Chambers	Harrigan	Marrin	Seibert	Vehslage
Chapman	Hennessy	Matthews	Sheffield	Wells
Clark, F.E.	Herrman	McDermott	Sherwood	Whittet
Conklin	Higbie	McNamee	Smith, S.W.	Wieman
Corrigan	Hobbie	Melody	Snyder	Wilcox
Coughlin	Hoefler	Messiter	Southworth	Wray
Cutler	Horton	Mittnacht	Stadtfeld	Wyckoff
Davidson	Hotaling	Myers	Stein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 998) entitled "An act to amend the railroad law, relating to abandonment of part of route" (Int. No. 913), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all of said bill and insert the following:

AN ACT to amend the railroad law.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one hundred and three of the railroad law, is amended so as to read as follows, to take effect immediately.

§ 103. Abandonment of part of route. — Any street surface railroad corporation which is the lessee or lessor, or both, or which has the right to use the route or portion of the route of

another such corporation, pursuant to a lease or agreement lawfully entered into with it, may declare any portion of its own route which it may deem no longer necessary for the successful corporation of its road and convenience of the public in consequence of such lease or contract, to be relinquished or abandoned. Such declaration of abandonment must be adopted by the board of directors of the corporation under its seal, which shall be submitted to the stockholders thereof at a meeting called and conducted in the same manner as required by law for meetings of stockholders for the approval of leases by railroad corporations for the use of their respective roads. If the stockholders shall, at such meeting, ratify and adopt such declaration of abandonment, the secretary of the company shall so certify under the seal of the corporation, upon such declaration. Such declaration shall be submitted to the board of railroad commissioners for its approval, and if approved by such board, such approval shall be indorsed thereon or annexed thereto, and the declaration so certified and indorsed shall be filed and recorded in the office of the secretary of state, and from the time of such filing, such portion of the route designated in the declaration shall be deemed to be abandoned. And in cities of one hundred thousand inhabitants or under any street surface railroad corporation which shall have constructed or may hereafter construct additional routes so as to provide a continuous service between terminal points, or which by consolidation and merger of two or more roads have more than one line of road between terminal points, may declare any portion of its own route which it may deem no longer necessary for the successful operation of its road and convenience of the public in consequence of such additional construction or routes or consolidation and merger of roads, to be relinquished or abandoned upon taking the proceedings and obtaining the consent hereinbefore provided for.

§ 2. This act shall take effect immediately.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 99 }
 } NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dinkelspiel	Howe	Parkhurst	Southworth
Babcock	Douglas	Keck	Porter	Stein
Baker	Eldredge	Keenan	Prescott	Stewart
Berry	Fairbrother	Keleher	Rider, J.J.	Stone
Braun	Finnigan	Kerr	Robbins	Taylor
Brownell	Fish	Kern	Robertson	Terry, C.W.

Burtis	Foley	Kerrigan	Robinson	Terry, J.F.
Bush	Friday	Kneeland	Robson	Thompson
Butts	Fuller	Lasch	Roche	Thornton
Cain	Gardiner	Lawson	Ryder, E.L.	Tilton
Callahan	Gleason	Lee	Scanlon	Tobin
Carroll	Glenn	Lounsbury	Schillinger	Tuttle
Chapman	Gould	Loonan	Schulz, F.F.	Vacheron
Clark, J. H.	Harrigan	Marrin	Schulz, H	Van Amber
Conklin	Herrman	Matthews	Seibert	Wells
Corrigan	Higbie	McKeon	Sheffield	Whittet
Cutler	Hobbie	McNamee	Sherwood	Wieman
Davidson	Hoefler	Messiter	Smith, M.F.	Wray
Dean	Hotaling	Myers	Smith, S.W.	Wyckoff
Denniston	Houghton	O'Grady	Snyder	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1337) entitled "An act to amend chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property'" (Int. No. 1182), with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 1 (printed bill), after the words "shall be" strike out the word "four" and insert the word "three."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ainsworth	Dean	Horton	McNamee	Schulz, F.F.
Babcock	Denniston	Hotaling	Melody	Seibert
Baker	Dinkelspiel	Houghton	Messiter	Sheffield
Berry	Douglas	Howe	Mittnacht	Sherwood
Braun	Dowling	Hoysradt	Myers	Smith, M. F.
Brennan	Eldredge	Keck	Nixon	Snyder
Brownell	Fairbrother	Keenan	O'Donnell	Southworth
Burtis	Finnigan	Keleher	O'Grady	Stadtfeld
Bush	Fish	Kelsey	Parkhurst	Stein
Butts	Foley	Kerr	Plant	Stevens
Cahill	Friday	Kern	Porter	Stewart
Cain	Fuller	Kerrigan	Prescott	Stone
Callahan	Gardiner	Kneeland	Reilly	Sulzer
Carroll	Gerst	La Fetra	Rider, J.J.	Taylor

Cassin	Gleason	Lasch	Robbins	Terry, C.W.
Chambers	Glenn	Lawson	Robertson	Thompson
Chapman	Gould	Lee	Robinson	Thornton
Clark, J. H.	Gray	Lounsbury	Robson	Tilton
Conklin	Harrigan	Loonan	Roche	Tobin
Corrigan	Hennessy	Marrin	Ryder, E.L.	Trainor
Coughlin	Herrman	Matthews	Scanlon	Vacheron
Cutler	Higbie	McDermott	Schillinger	Wells
Davidson	Hoëfler	McKeon	Schoepflin	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 886) entitled "An act concerning the probate of the wills of non-residents," with a message that they have agreed to the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the fifth annual report of the State Commissioner in Lunacy, which was laid upon the table and ordered printed.

(See Document.)

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

"An act making an appropriation for the support of government." (Not printed, Int. No. 1498.)

"An act to extend the time for the collection of taxes in the town of Brookhaven, in Suffolk county." (Not printed, Int. No. 1495.)

"An act to provide ways and means for the support of government." (Not printed, Int. No. 1500.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 595) entitled "An act to amend section 116 of title 2, chapter 3 of part 4 of the Revised Statutes, relating to State prisons" (Int. No. 559), with a message that they have concurred in the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1393) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution of this State in relation to county judges and court of sessions in the county of Kings" (Int. No. 1241), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Secretary of State.

The Senate returned the following entitled bills:

"An act to revise the charter of the city of Yonkers." (No. 1597, Int. No. 864.)

"An act to amend the Code of Civil Procedure, relating to examinations and admission of attorneys or counselors." (No. 419, Int. No. 399.)

"An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain sales of property belonging to the mayor, aldermen and commonalty of the city of New York, leased to the Hahnemann hospital of the city of New York, for non-payment of assessments, and to discharge and release certain assessments thereon." (No. 1275, Int. No. 992.)

"An act to incorporate the Children's Aid Society of Rochester." (No. 1592, Int. No. 1387.)

"An act to provide for subsistence and expenses of light artillery of National Guard of New York." (No. 823, Int. No. 757.)

"An act to appropriate money for the support of the insane under the provisions of chapters 126 of the Laws of 1890 and 214 of the Laws of 1893." (No. 1234, Int. No. 1094.)

"An act to provide for repairing the bridges across the Tonawanda creek on the Tonawanda Indian reservation and make an appropriation for the same." (No. 1274, Int. No. 1186.)

"An act creating a commissioner of jurors for counties of the State having a population of 300,000 or more, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in courts of record in such counties; also prescribing the qualifications, exemptions and length of service of such jurors." (No. 1416, Int. No. 1042.)

"An act with reference to the removal and appointment of heads of departments in the city of New York." (No. 457, Int. No. 434.)

"An act to revise the charter of the city of Watertown." (No. 1472, Int. No. 1200.)

"An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York.'" (No. 1458, Int. No. 1254.)

“An act to amend title 12 of chapter 77 of the Laws of 1870, entitled ‘An act to amend the act to combine into one act the several acts relating to the city of Albany,’ passed April 12, 1842, and the several acts amendatory thereof, and also to repeal the act to establish a capitol police district and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany.” (No. 1054, Int. No. 510.)

“An act to amend chapter 243 of the Laws of 1861, entitled ‘An act to amend and consolidate the several act in relation to the charter of the city of Rochester,’ as amended and established by chapter 14, Laws of 1880, and the several acts amendatory thereof and supplementary thereto.” (Not printed, Int. No. 114.)

“An act to open the Fulton chain of lakes and the connecting streams thereof as a public highway.” (No. 860, Int. No. 262.)

“An act to amend chapter 4 of the Laws of 1891, entitled ‘An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants.’” (No. 1456, Int. No. 1210.)

“An act to amend the railroad law.” (No. 998, Int. No. 913.)

“An act to amend chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ relative to the opening of streets and avenues in the Twenty-third and Twenty-fourth wards and the department of public works of the city of New York.” (No. 1223, Int. No. 1082.)

“An act to amend the game law, relating to stocking from streams.” (No. 279, Int. No. 275.)

“An act to provide ways and means for the support of the government.” (Not printed, Int. No. 1500.)

“An act to amend the insurance law.” (No. 1718, Int. No. 1204.)

“An act to authorize the common council of the city of Auburn to borrow money and issue its bonds for the maintenance of the fire department of said city.” (No. 1746, Int. No. 1490.)

“An act to legalize and confirm certain resolutions for extra printing, passed jointly or separately by the Senate and Assembly of 1894.” (Not printed, Int. No. 1499.)

“An act authorizing the executors and trustees of the estate of Charles Pratt, deceased, to set apart lands to be used as a family

cemetery, to erect a mausoleum thereon, and to legalize a trust of real and personal property for that purpose." (Not printed, Int. No. 1461.)

"An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville.'" (No. 1736, Int. No. 1482.)

"An act to amend chapter 266 of the Laws of 1894, relating to interference with convicts employed on the public highways." (No. 1711, Int. No. 1470.)

"An act in relation to the destruction by fire or heat of all animal and vegetable refuse and garbage in towns and villages having over 10,000 inhabitants." (No. 1687, Int. No. 1456.)

"An act to amend section 1384 of the Code of Civil Procedure, relating to executions." (No. 1708, Int. No. 1466.)

"An act to amend the Code of Civil Procedure, relating to attachments." (No. 1666, Int. No. 1430.)

"An act to amend chapter 467 of the Laws of 1871, entitled 'An act to authorize a public cemetery in the town of Williamstown, Oswego county.'" (No. 1728, Int. No. 1473.)

"An act to amend the Code of Civil Procedure, relating to the granting of attachments in certain actions." (No. 1584, Int. No. 1346.)

"An act to amend chapter 555 of the Laws of 1885, entitled 'An act to regulate and fix the pay or compensation of members of the police force who are police surgeons, or doormen in all cities of this State, having, according to the last census, a population exceeding 800,000.'" (No. 1582, Int. No. 1344.)

"An act to regulate the putting up for sale, use or giving away of poisonous liquids." (No. 1115, Int. No. 101.)

"An act in relation to justices' courts in the city of Brooklyn." (No. 392, Int. No. 386.)

"An act to amend chapter 332 of the Laws of 1893, entitled 'An act in relation to the forest preserve and Adirondack park, constituting articles 6 and 7 of chapter 43 of the general laws.'" (No. 969, Int. No. 880.)

"An act to amend the Revised Statutes, relating to temporary relief of the poor." (No. 1300, Int. No. 1141.)

"An act to provide for the payment of certain claims against the city of Brooklyn." (No. 1325, Int. No. 1169.)

"An act to correct manifest errors in the general laws." (No. 1480, Int. No. 1202.)

"An act to provide for the issue of bonds for the extension of that portion of Van Cortlandt park designated as a military parade, camp and drill ground in the city of New York." (No. 1577, Int. No. 1389.)

"An act to amend the town law, relating to the compensation of highway commissioner." (No. 1555, Int. No. 1375.)

"An act making an appropriation for repairs to the New York State Institution for the Blind at Batavia." (No. 1755, Int. No. 1494.)

"An act to amend the highway law, relating to the money system on repairs of highways." (No. 1443, Int. No. 1270.)

"An act to release to Edward Morgan and James McConnon all the right title and interest of the people of the State of New York in and to certain real estate in the village of Herkimer, Herkimer county, N. Y." (No. 1069, Int. No. 959.)

"An act in relation to the government of the city of Brooklyn." (No. 915, Int. No. 566.)

"An act to incorporate the city of Little Falls." (No. 1699, Int. No. 295.)

"An act to amend chapter 207 of the Laws of 1851, entitled 'An act declaring Moose river together with the north and south branches thereof, in the State of New York, a public highway.'" (No. 1404, Int. No. 1066.)

"An act to amend chapter 399 of the Laws of 1892, entitled 'An act in relation to taxable transfers of property.'" (No. 1337, Int. No. 1182.)

"An act to reappropriate certain unexpended balances of former appropriations." (No. 1346, Int. No. 1191.)

"An act authorizing and empowering the superintendent of public works to construct a lift-bridge or hoist-bridge over the Erie canal in the village of Canajoharie, and making an appropriation therefor." (No. 789, Int. No. 740.)

"An act to amend chapter 435 of the Laws of 1879, entitled 'An act in relation to the raising of funds for the relief of the poor of the town of Plattsburgh, in the county of Clinton.'" (No. 1129, Int. No. 1061.)

"An act authorizing the construction of an iron bridge over

the Champlain canal at North street, in the village of Mechanicville, Saratoga county, and abutments and approaches thereto, and making an appropriation therefor." (No. 1537, Int. No. 152.)

"An act to amend the railroad law, relating to construction of road in street where other road is built." (No. 1533, Int. No. 1084.)

"An act to regulate the employment of prison labor in the manufacture of brooms and brushes made of broom-corn." No. 795, Int. No. 746.)

"An act to amend chapter 535 of the Laws of 1888, entitled 'An act to incorporate the city of Middletown.'" (No. 1620, Int. No. 1380.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to district courts." (No. 850, Int. No. 785.)

"An act to legalize all assessments for local improvement heretofore made in the city of Watertown." (No. 1566, Int. No. 1327.)

"An act to amend chapter 51 of the Laws of 1870, entitled 'An act to amend the Act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848." (No. 1504, Int. No. 1303.)

"An act to provide for the incorporation of associations for lending money on personal property, and to forbid certain loans of money, property or credit." (No. 1574, Int. No. 1335.)

"An act to authorize the board of street opening and improvement of the city of New York to establish a public place on the southeasterly projection of Cedar park in said city for the convenience of public travel and traffic." (No. 1521, Int. No. 1322.)

"An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof." (No. 1680, Int. No. 1444.)

"An act relative to persons holding the office of justice of the peace." (No. 1691, Int. No. 1261.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the powers and duties of the health department of the city of New York." (No. 1545, Int. No. 1225.)

"An act to provide for the construction of a bridge over the Mott Haven canal at One Hundred and Thirty-eighth street in the city of New York." (No. 1470, Int. No. 1226.)

"An act in relation to Lewis avenue, in the city of Brooklyn." (No. 1009, Int. No. 924.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to discharge of liens." (No. 1147, Int. No. 1013.)

"An act to provide for the payment of the salary of John A. Stemmler as justice of the district court in the city of New York for the seventh judicial district." (No. 1338, Int. No. 1178.)

"An act to amend chapter 60 of the Laws of 1893, and entitled 'An act to provide for conveying the waters of Trout or Ensign brook under the Champlain canal at the Leland farm, in the town of Half Moon, Saratoga county, and making an appropriation therefor.'" (No. 815, Int. No. 749.)

"An act to provide for the compensation of election officers." (No. 1613, Int. No. 492.)

"An act to amend the Code of Civil Procedure relating to compensation of attorney for services." (No. 955, Int. No. 454.)

"An act to promote and encourage a faithful and efficient service in the prevention of contagious and infectious diseases, and to provide for a health department pension fund in the city of New York." (No. 89, Int. No. 93.)

"An act to amend chapter 314 of the Laws of 1858, entitled 'An act to declare and extend the powers of executors, assignees, receivers and other trustees, and to protect the rights of creditors and others against frauds, and for other purposes.'" (No. 1558, Int. No. 1361.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to Saint John's guild." (No. 1516, Int. No. 1317.)

"An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the amount of the claim of Augustus Mackensie against the State, and to make an award therefor." (No. 1579, Int. No. 1341.)

"An act to amend the Penal Code, relative to lotteries." (No. 1563, Int. No. 1369.)

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'" (No. 1615, Int. No. 1375.)

"An act to amend chapter 238 of the Laws of 1890, entitled 'An act to provide for the establishment of a house of refuge for women in Western New York.'" (No. 1637, Int. No. 1401.)

"An act to authorize local authorities to contract for the purification of water and sewerage." (No. 1717, Int. No. 1449.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act to amend the Code of Civil Procedure, relating to regulating when action brought by wife." (No. 1585, Int. No. 767.)

"An act to amend the Penal Code, relating to unauthorized wearing of badges." (No. 1692, Int. No. 1133.)

"An act to authorize the commissioners of the land office to grant all the interest of this State in certain lands formerly under the waters of the Hudson river, adjoining the village of Catskill, in the county of Greene, but which have been filled in." (No. 1288, Int. No. 1123.)

"An act relating to the incorporation called the Baptist Missionary Convention of the State of New York and the property of extinct Baptist churches and Baptist religious societies." (No. 1169, Int. No. 1036.)

"An act entitled 'An act to provide for the payment of the amount advanced, or to be advanced, by the city of Schenectady for improvements made on Rotterdam street and Water street in said city, and for the collection of the same.'" (No. 1408, Int. No. 876.)

"An act to revise, amend and consolidate the general acts relating to public instruction." (No. 1679, Int. No. 1451.)

"An act authorizing the improvement and repairs of the Rocky Rift feeder and dam in the Mohawk river and making appropriation therefor." (No. 1546, Int. No. 1359.)

"An act to release to George Hyne, John Kilgour and David Kilgour, all the right, title and interest of the people of the State of New York, in and to certain real estate in the city of Brooklyn, county of Kings and State of New York." (No. 1674, Int. No. 1438.)

“An act to amend chapter 182 of the Laws of 1892, entitled ‘An act to incorporate the city of Mount Vernon.’” (No. 1568, Int. No. 1329.)

“An act to locate the office of the clerk of the town of Ausable.” (No. 1625, Int. No. 1385.) •

“An act to provide conditional compensation for teachers of common schools in any town of the State who have taught therein continuously twenty-five years or more.” (No. 1684, Int. No. 1448.)

“An act to amend the highway law, relating to commutation money for road district work.” (No. 1377, Int. No. 1219.)

“An act to improve a certain highway in the town of Greenwich, Washington county, and making an appropriation therefor.” (No. 371, Int. No. 362.)

“An act to amend the agricultural law, authorizing agricultural societies and corporations to lease their grounds.” (No. 1336, Int. No. 1181.)

“An act to amend the highway law, relating to laying out highways upon line between town and city or village.” (No. 1386, Int. No. 1228.)

“An act laying out an additional public park in the Twelfth ward of the city of New York and authorizing the taking of land for the same.” (No. 1203, Int. No. 991.)

“An act to amend chapter 55 of the Laws of 1890, entitled ‘An act to incorporate the city of Gloversville.’” (No. 1722, Int. No. 1458.)

“An act to provide for the assessment and collection of the expense of removal of snow and ice from the sidewalks of public streets and avenues in the city of New York.” (No. 1389, Int. No. 1233.)

“An act to further amend chapter 410 of the Laws of 1882, entitled ‘An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,’ as amended by chapter 180 of the Laws of 1884, chapter 364 of the Laws of 1885, chapter 575 of the Laws of 1888, and chapter 531 of the Laws of 1890, relating to a pension fund for the police department of said city.” (No. 1373, Int. No. 1214.)

“An act to release from assessments heretofore levied on certain real estate of Saint John’s Methodist Episcopal church in the city of New York.” (No. 1501, Int. No. 1300.)

"An act to amend the Penal Code, in relation to autopsies in insane asylums and hospitals." (No. 597, Int. No. 562.)

"An act making appropriation for the State land survey." (No. 1101, Int. No. 916.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York.'" (No. 1487, Int. No. 1286.)

"An act to amend chapter 391 of the Laws of 1893, entitled 'An act for the protection of purchasers of coal in cities of over 800,000 inhabitants and under 1,200,000 inhabitants, and providing for the enforcement thereof.'" (No. 819, Int. No. 753.)

"An act to amend the Code of Criminal Procedure, relating to review on appeal from minor courts." (No. 1535, Int. No. 974.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' and the acts amendatory thereof, relating to the judgment of the court of special sessions in certain cases made final." (No. 1085, Int. No. 975.)

"An act to amend chapter 195 of the Laws of 1848, entitled 'An act to provide for the taking of acknowledgments of deeds and other written instruments by persons residing out of the State of New York, and acts amendatory thereof and supplemental thereto.'" (No. 1440, Int. No. 1262.)

"An act to amend the county law, relating to powers of supervisors with reference to tires on wagons." (No. 901, Int. No. 827.)

"An act to amend chapter 220 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof.'" (Not printed, Int. No. 1452.)

"An act authorizing the Superintendent of Public Works to remove the bridge now spanning the Erie canal at Main street in the village of Fairport." (No. 47, Int. No. 49.)

"An act to amend the insurance law, relating to application of article 1." (No. 1107, Int. No. 177.)

"An act conferring jurisdiction upon the Board of Claims to hear, and determine the claims of Milton B. Jarvis against the State of New York, and to make an award therefor." (No. 1060, Int. No. 949.)

"An act for the relief of Wesley S. Yard." (No. 1593, Int. No. 1378.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the construction of buildings." (No. 1382, Int. No. 1224.)

"An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relating to schools." (No. 1198, Int. No. 1033.)

"An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city.'" (Not printed, Int. No. 1485.)

"An act to amend chapter 578 of the Laws of 1887, entitled 'An act in relation to the payment of assessments for local improvements in the Twenty-third and Twenty-fourth wards in the city of New York.'" (No. 1121, Int. No. 143.)

"An act relating to an approach to the Washington bridge in the city of New York, known as Boscobel avenue." (No. 1283, Int. No. 1166.)

"An act to prevent the drawing of seines, and to protect spawning beds in Croton bay, south of Croton Point." (No. 201, Int. No. 200.)

"An act to amend chapter 200 of the Laws of 1873, entitled 'An act to amend the charter of the village of Addison in the county of Steuben,' as amended by chapter 511 of the Laws of 1884." (No. 1510, Int. No. 1309.)

"An act empowering the northside water commissioners of a fire district in a part of the town of Waterford, county of Saratoga, State of New York, to contract with electric light companies organized under the laws of this State, or with any person or persons, for lighting the streets and public highways in said district, and providing for the payment therefor by assessment, levy and collection thereof, upon the taxable property of such district.'" (No. 1442, Int. No. 1264.)

"An act to vacate certain assessments for improving Second avenue in the city of Albany." (No. 1230, Int. No. 1089.)

"An act to establish the Collins Farm State Homeopathic Hospital for the Insane." (No. 1688, Int. No. 921.)

“An act to amend chapter 413 of the Laws of 1892, entitled ‘An act to provide for the construction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city.’” (No. 1648, Int. No. 1412.)

“An act to amend the military Code, relating to uniforms, pay and allowances.” (No. 729, Int. No. 684.)

“An act for the promotion of the public parks of the city of New York.” (No. 463, Int. No. 91.)

“An act making an appropriation for the payment of expenses of a convention to revise and amend the Constitution of the State.” (No. 1523, Int. No. 1324.)

“An act to amend the legislative law, relative to the printing of the session laws.” (No. 1428, Int. No. 1248.)

“An act to provide for the grading and other improvement of certain park lands in the city of Brooklyn, and to provide the means therefor.” (No. 1565, Int. No. 1371.)

“An act in relation to McDonough street, in the city of Brooklyn.” (No. 913, Int. No. 842.)

“An act fixing the pay, compensation and salary of the door-men and acting doormen of the park police of the city of New York, and providing for the payment of the same, and for their vacation and benefit under the pension fund.” (No. 1402, Int. No. 849.)

“An act to amend chapter 269 of the Laws of 1892, entitled ‘An act to amend sections 45, 704, 705, 707, 708, 710 and 1936 of chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, so as to secure the more efficient cleaning of the streets, avenues, public places, wharves, piers and heads of slips in said city.’” (No. 1549, Int. No. 1351.)

“An act to amend and make additions to chapter 463 of the Laws of 1860, entitled ‘An act to revise the charter of the city of Oswego,’ and the acts amendatory thereof.” (No. 202, Int. No. 201.)

“An act to authorize the Clerk of the Assembly to cause to be printed and distributed copies of the game law.” (No. 1696, Int. No. 1311.)

“Concurrent resolution proposing amendment to article 6 of the Constitution of this State, in relation to county judges and

court of sessions in the county of Kings." (No. 1393, Int. No. 1241.)

"An act to release from taxes heretofore levied on certain real estate of Saint Mark's hospital of New York city." (No. 1016, Int. No. 932.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn, relating to arrears.'" (No. 1345, Int. No. 1161.)

"An act to incorporate the Equitable Securities Company." (No. 1695, Int. No. 1459.)

"An act empowering the supervisor and commissioner of highways of the town of Plattsburgh to purchase a stone crusher and power and to provide for the working of highway assessments in connection therewith." (No. 1525, Int. No. 1326.)

"An act to amend chapter 83 of the Laws of 1885, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie, entitled 'An act to consolidate and amend the several acts relating to the said village of Lancaster, and to enlarge the powers of the corporation of said village.'" (No. 1618, Int. No. 1368.)

"An act to amend the railroad law, in relation to electric light and power corporations becoming railroad corporations." (No. 1331, Int. No. 1176.)

"An act relative to the Supreme Court of the second judicial department." (No. 1449, Int. No. 1271.)

'An act to provide for the completion and the care of the soldiers' and sailors' monument in the city of Brooklyn, and to provide the means therefor.'" (No. 1240, Int. No. 1102.)

"An act in relation to assessments for public improvements in the towns of this State and to provide for reviewing and correcting the same." (No. 985, Int. No. 897.)

"An act to amend the county law, relating to salary of the county judge of Montgomery county." (No. 1258, Int. No. 1126.)

"An act conferring jurisdiction upon the Board of Claims to hear, audit and determine the claims arising from the grant by the State to Archibald McIntyre, individually, and as executor, and his successors in interest and subsequent grantees and owners and their personal representatives, and to make an award therefor." (No. 1576, Int. No. 1337.)

"An act to amend section 1 of chapter 89 of the Laws of 1891, entitled "An act to provide for the erection of museum buildings on park lands in the city of Brooklyn, and to authorize leases thereof to the Brooklyn Institute of Arts and Sciences." (No. 1257, Int. No. 1125.)

"An act to repeal chapter 526 of the Laws of 1869, entitled 'An act to establish a uniform width of tracks for vehicles using the public highways in the towns of East Hampton and South Hampton, Suffolk county.' (No. 1526, Int. No. 1338.)

"Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court." (No. 1247, Int. No. 1109.)

"An act to amend the Code of Civil Procedure, relating to publication of notices." (No. 1269, Int. No. 990.)

"An act to secure independence of voters of town meetings, secrecy of the ballot, and providing for the use of automatic ballot cabinets." (No. 1409, Int. No. 661.)

"An act to empower boards of supervisors to direct the payment and report, by justices of the peace, to their respective towns, of fines and penalties received by them." (No. 578, Int. No. 133.)

"An act to amend chapter 353 of the Laws of 1889, entitled 'An act to authorize the purchase of sites and the erection of buildings for municipal purposes in the city of Brooklyn.' " (No. 1376, Int. No. 1217.)

"An act to amend chapter 104 of the Laws of 1872, entitled 'An act in relation to trustees and directors of charitable and benevolent institutions.' " (No. 1450, Int. No. 1273.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' relating to contracts." (No. 1638, Int. No. 1402.)

"An act in relation to Gates avenue in the city of Brooklyn." (No. 407, Int. No. 288.)

"An act to amend title 13 of chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn,' in relation to the department of fire." (No. 1527, Int. No. 1052.)

"An act to provide for a hearing of the claims of William

Lockman and Carey Devery, for work and services performed for the State under the direction of the quarantine officials, and to make an award therefor." (No. 1443, Int. No. 1265.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker announced the following appointment of officers to remain ten days after adjournment, pursuant to chapter 682 of the Laws of 1892, as amended by chapter 24 of the Laws of 1893:

Edward M. Johnson, journal clerk; William H. Hawley, Jr., index clerk; Justin B. H. Mangin, deputy clerk.

Mr. Speaker announced the following doorkeepers, messengers and pages to attend the organization of the next Legislature:

Assistant doorkeepers—Rodney Russell, John W. Post, J. E. West.

Messengers—Anderson D. Lawrence, Andrew R. Warner.

Pages—James H. Millard, James L. Loughren, William Ross, James Dwyer, Charles S. Foster, Lester Dorn.

Mr. Speaker then addressed the House as follows:

GENTLEMEN OF THE ASSEMBLY.—As the hands of the clock point to the hour of 12 we are reminded that our labors are ended, and that the time has arrived when, by a joint resolution of the Senate and the Assembly, we are to adjourn *sine die*.

The history of our session has been written, and now awaits the calm and deliberate judgment of those whom we have had the honor to serve. The record is such that we may await their verdict with confidence that, as a whole, it will stand approval.

Our highest individual expectations may not have been fully realized; but as all legislation is, more or less, the result of compromise, we may congratulate ourselves that the amendments to the most important measures have been slight, and that the final object sought has been in every instance attained.

The pledges made to the people have been redeemed. The principle of home rule for cities has been thoroughly established, and now the cities of the State will rule and govern themselves. Many bills have been passed to protect the ballot and purify our elections. Rigid economy has been practiced in the making of appropriations, which has resulted in a large saving to the taxpayers of the State. But it is unnecessary for me at this time to call your attention to all the important matters which have so recently engaged your attention and which called upon each of you for a high performance of your duties.

It is sufficient to say that no bill has failed of passage which commended itself to any considerable number of our people. You have been neither weak nor vacillating, but strong and

aggressive, and deserve well of the people whom you have had the honor to represent.

For the able and unselfish manner in which you have aided me in the discharge of my arduous duties, I can only extend my thanks, and trust that when you return home a grateful constituency will greet you with "Well done, good and faithful servant."

It gives me great pleasure to be able to say at this time, that whatever of success we have attained, no small portion is due the honest and able manner in which the Clerk of this Assembly and those under him have discharged their duties.

The hour of 12 having arrived, I do hereby declare this Assembly adjourned *sine die*.

GEORGE W. DUNN,
Clerk.

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